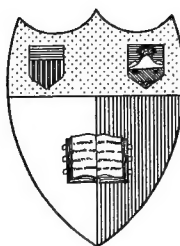


LEGISLATIVE
JOURNALS OF THE COUNCIL
OF
COLONIAL VIRGINIA
Vol. I.

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Legislative
Journals of the Council
of
Colonial Virginia



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No. 37

LEGISLATIVE
JOURNALS
of the
COUNCIL
of
COLONIAL VIRGINIA

IN THREE VOLUMES

Edited by
H. R. McILWAINE

VOLUME I



RICHMOND, Virginia
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Preface.

THIS set of volumes, three in number, the "Legislative Journals of the Council of Colonial *Virginia*," contains such of the Journals of the Council, acting as a branch of the General Assembly of Colonial *Virginia*, as the editor has been able to discover. No Journal has been found for any session prior to that beginning the 8th of *June* 1680, copy of which was sent to *England*, as were copies of following Journals, in accordance with orders of the Committee of the Privy Council for Trade and Foreign Plantations dated the 14th of *January* 1679/80.

In the Preface of the "Journals of the House of Burgesses of *Virginia*, 1659/60-1693," pp. xix-xxi, some account is given of the orders referred to, and of their salutary effect so far as the documentary sources of *Virginia* Colonial history are concerned. In this account the doubt is expressed that the Journals of the Council as a branch of the General Assembly were formally kept before the 1680 session, or, in fact, before the 1682 session. For the sessions before 1680 this doubt was based on the fact that though the House of Burgesses and the Council undoubtedly sat separately long before the year 1680, the date assigned by *Beverley* for their separation, no Council Journal has been preserved. In addition, no reference in any compilation from the earliest records of the Colony—especially the compilation known as the "*Bland Manuscript*," made about the year 1722 for Sir *John Randolph*, who had in mind to write a history of the Colony—indicates the former existence of such a Council Journal. The statement as to the probability that the regular keeping of the legislative Journal of the Council was begun at the 1682 session, rather than at the 1680 session, was based on a reading of the "Calendar of State Papers, Colonial, *America* and *West Indies*, 1677-1680," Nos. 1375, 1410, 1423, and 1432, the full transcripts of the Journals of the Council not being at the time of the writing of that preface in hand. All these have now been secured, however, and they show that certainly as far back as the 1680 session, the Journal for which is the first one appearing in this volume, the Journal of the Council as a legislative body was formally kept, and kept distinct from the Journal of that body acting in its executive capacity. On further consideration, it appears, too, to the editor that the note on page 3 of the present volume, written several months before the time of the writing of this Preface, does not have sufficient evidence to justify it. Though the Journal of the Council for the 1680 session is undoubtedly meagre, this meagreness may be accounted for by the inexpertness of the clerk, and does not necessitate a resort to the hypothesis, set forth in the note, that the order of *January* 14, 1679/80, did not reach *Virginia* till after the session began. The regular keeping of the legislative Journal of the Council is thus carried back to 1680; and it now appears to the editor more reasonable to suppose that these legislative Council Journals, despite the failure to find an earlier Journal or a reference anywhere to an earlier one, must have been formally kept from the time that the General Assembly of *Virginia* became bicameral—just as the Journals of the House of Burgesses were formally kept. The Journals of the proceedings of a branch of the General Assembly in a government as well organized as was that of Colonial *Virginia* at the time when the General Assembly became bicameral, and conducted by men of intelligence and experience, must have been kept with a view to their permanent preservation. The contrary supposition posits a backwardness in this important respect which does not correspond with the degree of advancement of the government of the Colony in general.

¹ The precise date of the separation of the two chambers cannot be given, but it possibly—even probably—took place at the 1637/38 session. See Preface of the "Journals of the House of Burgesses of *Virginia*, 1619-1658/9," p. xxvi.

The Journals of the Council of *Virginia* as a legislative body appear in print now for the first time, and they will immediately take their place as a source of *Virginia* history of equal value, page for page, with their companion Journals of the House of Burgesses. Many points left obscure by those Journals have additional light shed upon them in these.

In one notable respect the Council Journals are, not infrequently, more informative than those of the House of Burgesses, since it was the practice for councillors, if they thought the matter of sufficient importance, to have, when they were not in favor of the passage of bills which nevertheless gained a sufficient number of votes, their objections spread upon the minutes. These objections give us a much clearer idea than we should otherwise have of the arguments used for and against the passage of certain measures.

In theory, bills, except those in reference to money matters, could originate in either house, but in practice the great majority of bills actually originated in the House of Burgesses. The Council came to be looked upon as a body for the examination and emendation of bills and not one for their origination. Hence the work of the second body in connection with the passage of laws was much less onerous than that of the other and its Journals much less voluminous. For this reason, and for the additional reason that the speeches of the governors to the General Assembly as a whole and to the House of Burgesses and the communications from the House to the governors, with those passing between the two chambers, all of which have already been printed in the "Journals of the House of Burgesses of *Virginia*," are not printed again in these Council Journals, only references being given, it is possible to print the entire series of Journals in three large volumes, whereas the House Journals, with the General Index, required thirteen.

The general style of printing used in the two sets of volumes is the same, the only difference appearing in the method of printing the names of members of the Council when compared with that of printing the names of members of the standing committees of the House.² Whereas the names of the standing committees of the House were printed in columns, in this way being preserved the style of the original printed Journals for the years for which printed Journals exist and of the manuscript Journals where the printed Journals fail, the names of the members of the Council are printed in lines. The object of this slight departure from the original style is, of course, merely to save space. The contractions and special characters used in the "Journals of the House of Burgesses of *Virginia*" are used in this set of "Legislative Journals of the Council of Colonial *Virginia*" also, and are as follows:

č, indicating ti (mentioned, for example, for mentioned)

đ, indicating -leman or -lemen (gentđ, standing for gentleman or gentlemen, usually the latter)

ð, indicating pre (ðvent, for prevent)

q₃, indicating que (annoq₃, for annoque)

řn, indicating mm (suřn, for summon).

In general, a curve over a letter indicates the omission of a letter or letters either preceding or following the marked letter.

The text of the Journals has in the great majority of instances been secured from the copies originally sent to *England* and now deposited in the Public Record Office, *London*, the original Journals of the Council now in existence in *Virginia*, or contemporary copies, being very few in number and some of these being badly mutilated. Some, however, have been found which it has been possible to use as sources of the text. In at least one instance—session of July 11-16, 1746—the original Journal has been found in *Virginia* and no copy in the Public Record Office. In a note at the beginning of each Journal is given the source of the text.

² The Council had no standing committees.

The following table gives a list of the sessions for which there ought to be copies of the legislative Journals of the Council in existence. The letter "v" indicates that the Journal, either the original or an early copy—sometimes much mutilated, however—is in the *Virginia State Library*, the letter "L" indicates that a copy is in the Public Record Office in *London*, and the letter "N" indicates that no Journal for that session has been found. The italics show the sessions for which the Journals in the *Virginia State Library* have been used as the source of the text.

1680, June 8 – July 7. (L)	1740, May 22 – June 17. (L)
1682, April 18 – 25. (L)	1740, August 21 – 28. (L)
1682, November 10 – December 22. (L)	1742, May 6 – June 19. (LV)
1684, April 16 – May 24. (N)	1744, September 4 – October 25. (LV)
1685, November 3 – December 13. (L)	1745/6, February 20 – April 12, 1746. (LV)
1686, October 20 – November 15. (L)	1746, July 11 – 16. (v)
1688, April 24 – May 12. (L)	1747, March 30 – April 18. (LV)
1691, April 17 – May 22. (L)	1748, October 27 – May 11, 1749. (LV)
1692, April 1 – 30. (L)	1752 (<i>new style</i>), Feb. 27 – Apr. 20. (LV)
1692/3, March 2 – April 3, 1693. (L)	1753, November 1 – December 19. (LV)
1693, October 10 – November 18. (L)	1754, February 14 – 23. (N)
1695, April 18 – May 18. (L)	1754, August 22 – September 5. (L)
1696, April 24 – May 1. (L)	1754, October 17 – November 2. (N)
1696, Sept. 24 – Nov. 3, 1697. (L)	1755, May 1 – July 9. (L)
1698, September 28 – October 6. (L)	1755, August 5 – 23. (N)
1699, April 27 – June 8. (L)	1755, October 27 – November 8. (L)
1700, December 5 – 27. (L)	1756, March 25 – May 5. (N)
1701, August 6 – October 2. (L)	1756, September 20 – 28. (N)
1702, May 13 – 29. (LV)	1757, April 14 – June 8. (L)
1702, June 18 – 25. (L)	1758, March 30 – April 12. (L)
1702, August 14 – 28. (LV)	1758, September 14 – October 12. (L)
1702/3, March 19 – April 10, 1703. (L)	1758, November 9 – 11. (L)
1704, April 20. (LV)	1759, February 22 – April 14. (L)
1704, April 21 – May 12. (L)	1759, November 1 – 21. (L)
1705, April 18 – May 12. (L)	1760, March 4 – 11. (L)
1705, October 23 – June 22, 1706. (LV)	1760, May 19 – 24. (N)
1710, October 25 – December 9. (LV)	1760, October 6 – April 10, 1761. (L)
1711, Nov. 7 – Jan. 31, 1711/12. (LV)	1761, November 3 – 14. (L)
1712, October 22 – November 29. (L)	1762, January 14 – 21. (L)
1713, November 5 – December 12. (L)	1762, March 30 – April 7. (L)
1714, November 16 – December 24. (LV)	1762, November 2 – December 23. (L)
1715, August 3 – September 7. (LV)	1763, May 19 – 31. (L)
1718, April 23 – July 10. (L)	1764, January 12 – 21. (L)
1718, November 11 – December 1. (L)	1764, October 30 – June 1, 1765. (L)
1720, November 2 – December 23. (LV)	1766, November 6 – April 11, 1767. (L)
1722, May 9 – June 7. (LV)	1768, March 31 – April 16. (L)
1723, May 9 – June 20. (L)	1769, May 8 – 17. (L)
1726, May 12 – June 7. (L)	1769, November 7 – June 28, 1770. (L)
1727/8, February 1 – March 30, 1728. (L)	1771, July 11 – 20. (L)
1730, May 21 – July 9. (LV)	1772, February 10 – April 11. (L)
1732, May 18 – July 1. (L)	1773, March 4 – 15. (L)
1734, August 22 – October 4. (L)	1774, May 5 – 26. (N)
1736, August 5 – September 23. (L)	1775, June 1 – 24. (N)
1738, November 1 – December 21. (L)	

* In this session there was a very long recess.

In the Appendix are printed such papers emanating from the Council before the year 1680 or from the General Assembly as a whole as have not already been printed in the "Journals of the House of Burgeses of *Virginia*"—that is, such of them as have been discovered—and the very interesting Journal of the Committee for the Revival of the Laws appointed in 1699.

Biennial appropriations have been made by the General Assembly of *Virginia* for the publication of the Journals of the House of Burgeses and of the Journals of the Council. The appropriation, however, made by the General Assembly at the 1916 session for the publication of the Journals of the Council was sufficient for the publication of only two volumes, and in order to use this appropriation it is necessary that the two volumes be issued and paid for before the close of the appropriation period, that is, before the first of *March*, 1918. Hence the first two volumes of the set are being issued some time before the third, which cannot be printed till after the close of the 1918 session of the General Assembly. At that session an appropriation for printing it will, it is expected, be made.

A General Index to the contents of the three volumes will be found at the close.

H. R. McILWAINE.

Richmond, Va., February 5, 1918.

Some of the Proceedings of the Council at a General Assembly held at *James City* from the 8th day of *June*, 1680, to the 7th of *July*.

JOURNAL OF THE COUNCIL

[Note.—The first Journal of the Council of Virginia acting as a branch of the General Assembly sent to England after the issuance of the order of the 14th of January, 1679/80, by the Committee of the Privy Council for Trade and Foreign Plantations that copies of the Journals of the Assembly should in future be furnished the home government, was that of the session beginning the 8th of June, 1680, and ending the 7th of July. It is probable that the order did not reach Virginia till this session was well under weigh, and that in this fact is to be found an explanation of the meagreness of the Journal. For much of the session it consists, as will be seen, merely of the speeches of the governor made either to the General Assembly as a whole or to the House of Burgesses and of communications between the governor and the House of Burgesses or between the two branches of the General Assembly. Such of these speeches and communications as have already been printed in the "Journals of the House of Burgesses" are not printed again, only references to the "Journals of the House of Burgesses" being given. For the rest of the session the material, though of great interest and historical value from many points of view, can certainly not be said to constitute an adequate journal of the proceedings.

[June 9, 1680.]

The Gov^rs Speech to y^e Assembly

IT IS now almost three yeares Since it first pleased his Ma^{ty} [See J. of H. of B., 1659/60-1693, pp. 147-149.]

M^r Speaker & you Gentlemen of y^e house of Burgesses.

Yor Yesterdayes Vote is the occasion of my Sending to you now [See J. of H. of B., pp. 130-1.]

June 10th 1680.

*To his Excell^{cy} of Virg^a
By the House of Burgesses.*

THIS House returns his Lord^p their humble thanks for those great demonstrations of his Excell^{cy}'s Care for the good of this Country, whilst his Ex^{cy} remained in *England*, and also for those noble propofalls his Ex^{cy} was pleased to make in his late speech & charge to the house of Burgesses expressing his Lo^p's free good & great Intentions for the future good of this his Maj^{ty}s Colony and the severall Inhabitants thereof: And this House humbly pray his Ex^{cy} will please to favour them with a Copy of the heads of that his Lord^{pp}'s most noble speech & charge, to the end they may the better know wth all ready submission to obferue and pursue y^e fame, and to y^e end the fame may be imparted in their respectiue Counties, w^{ch} they humbly suppose will be for the generall good & satisfaction of y^e Inhab^{ts} thereof.

T^{est}: R B Cl Afs:

*By y^e House of Burgesses.
To his Ex^{cy} of Virg^a*

The House finding M^r Jn^o Langfton not capable by Law, and his Maj^{ty}s exception to ferue as Burgef for *New Kent* County, as also that the County of *Lancaster* haue made choice

choice of Col S^r *Legr Codd* for their Burgefs, who being alfo chosen for *Northumberland* County hath declared to ferue for that County, Do humbly pray y^r Ex^{cy} will please to iffue forth a Writt for the Election of one Burgefs for *New Kent* County and one Writ for y^e Election for one Burgefs for *Lancaster* County to the end they may haue y^r Representatiues in this p^rsent generall Affembly

Test R: B Cl Afs:

June 11th 1680

To his Ex^{cy} of Virg^a

By the House of Burgeffes.

THIS House by thofe their Memb^{rs} Bearers hereof humbly pray to know y^r Excell^{cy}s Pleasure concerning the fending forth a Committee for tryall of private Caufes—this House fuppofeing it will be no hinderance of time

Test R: B Cl Afs:

To his Ex^{cy} Thomas L^d Culpepper Baron of Thorefway his Maj^{ty}s L^t and Gov^r Gen^l of Virginia.

The Houfe of Burgeffes moft humbly p^rsent, That for many years
[See J. of H. of B., p. 144.]

At a Councill held at *James City* 9th *June* 1680. [See J. of H. of B., p. 144.]

June 16th 1680

To his Excellency

By the House of Burgeffes

VPON the Petition of Coll: *Tho Clayborn* [See J. of H. of B., p. 124.]
By his Excell^{cy}

Vpon the Addrefs of the Houfe of Burgeffes defireing his Excell^{cy}'s opinion vpon the petition of L^t Coll *Tho: Claiborne* of Itray Horfes its answered haveing examined y^e A^{ct} of Affembly therein directing, it appeares publication of fuch Stray horfes are required to be made by rendring Account thereof to the Secretaries office to y^e intent notice may be given thereof to all County Courts, by w^{ch} meanes the true Owners of the horfes might make their juft Claimes, w^{ch} not being ~~Þ~~formed, its conceived the Intent of the faid A^{ct} hath not been purfued

Signed by his Ex^{cy}'s Command

Hen: Hartwell Cl Gen^l Affembly.

June 18th 1680.

REPORT on the petition of L^t Coll *Cad Jones* to the Houfe of Burgeffes 18th *June* 1680.

The Sufferings of this Petitioner are moft apparent and his refoluednefs to abide his plantation ag^t all the attempts and Conspiracies of Our Indian Enemies for many yeares, hath (as may well be fuppofed) maintained us in the featment of the vpper parts of *Rappahanock* for many miles, This petition and all its Circumftances are therefore referred to the moft ferious Confidera^{co}n of the Houfe of Burgeffes.

To his Excellency Tho Lord Culpepper Baron of Thorefway, his Maj^{ty}s L^t & Governour Generall of Virg^a and to the Hon^{ble} Councill.

The Houfe of Burgeffes P^resent. That in 3 feveral Votes [See J. of H. of B., p. 126.]

June

June 19

By his Excellency

UPON the receipt [See J. of H. of B., p. 127.]

To his Excellency

By the House of Burgeffes

Refolved by the whole house [See J. of H. of B., p. 127.]

June 23

By the House of Burgeffes

THE question put whether from [See J. of H. of B., p. 128.]

June 24

To his Excellency

THIS House humbly signify [See J. of H. of B., p. 130.]

June 15 [25th]

By the house of Burgeffes

RESOLVED that an humble address be made to his Excellencie [See J. of H. of B., p. 131.]

His Excell^{cy} sent a Message to the house of Burgeffes, that he appointed the same gent^l of the Councell that were of the former Conference to be of this Conference, to be held at M^r Sherwoods house at three of the Clock in the afternoon.

To his Excellency and the Hon^{bl} Councill

The House of Burgeffes humbly propose

That these following provifoos [See J. of H. of B., pp. 132-133.]

June 26

To his Excellency

THE House of Burgeffes humbly present

That according to the propositions [See J. of H. of B., 134.]

June 28th 1680

THE Councill haue considered the house of Burgeffes propositions for provifoos to his Maj^{ty} Bill for y^e Imposition of 2^s ^{pp} hogfhd and do vnanimously consent to the same

To y^e House of Burgeffes.

H. H. Cl. Con:

His Maj^{ty} Act intituled *an Act of free & generall pardon* &c^a accepted by his Excellency & y^e Councill vnanimously.

His Maj^{ty} Act intituled *an Act for Naturalization* past by his Excell^{cy} and y^e Councill vnanimously.

His

His Maj^{ty} Act intituled *an Act for the Imposition of 2^s ꝥ hhd* paſt by his Excell^{cy} and Councill vnanimouſly.

As to y^e propoſalls of *New Kent* County.

The Report of the Committee is agreed to by his Excellency and the Councill.

As to the Propoſalls of the Comm^{tee} about Garrifons his Excell^{cy} and the Councill approves the keeping vp of the Garrifons wth the number of twenty men, and likewise the Appointment of Vndertakers, and its further propoſed if there be emergent occaſions for ſending more Soldiers to the Garrifons how ſuch Soldiers ſhall be ſupplied wth Proviſions.

As to the propoſall of reſtraining the makeing and packing Ground Leaues ſeconds & flips his Excellency [and the Council] are of the opinion that to declare thoſe Lengths and Breadths according to the report of the Comm^{tee} to paſs as Merchantable Tobacco is to injoin the receiveing ſuch Tobacco, which is of no value, and ſo do not agree.

To the propoſition of *Warwick* County his Excell^{cy} and the Councill agrees to the Report of the Comm^{tee} and that application be made to his Majeſty that wee may haue Liberty to advance 4^d on the ſhilling vpon his Maj^{ty} Coin, and the like proportions on all forreign Coines, the Impoſition of two ſhill^s ꝥ hhd, the penny ꝥ li. Cuſtomes, Caſtle Duties and head money to be paid as formerly in mony ſterl.

To the propoſition of *Eliz: City* his Excell^{cy} and the Councill agrees to the report of the Com^{tee}

To y^e propoſition of *Gloſter* County.

His Excell^{cy} & y^e Councill agrees to the report of y^e Comm^{tee}

To the propoſition of *Iſle of Wight* County.

His Excell^{cy} and the Councill agrees to the Report of the Comm^{tee}.

To the 7th propoſition of *York* County

His Excell^{cy} and the Councill agrees wth y^e Report of the Comm^{tee}, but there being no directions about the weight of each Caſke that it be provided that if the Receiver of Tobacco do not agree to the Tare of the hhds the Tobacco be vncaſed, and the hhds weighed, and allowance to be made accordingly.

To the propoſall of *York* County about Negro Children his Excellency and the Councill agrees to the report of the Committee, and that all *English* Children imported be titihable at fourteen years of age and no ſooner.

Vpon the propoſition of *York* County ab^t his Maj^{ty} Soldiers ſent to the falls of *James* River for pay for their proviſions whilſt there, his Excellency and the Councill are of opinion, that if his Maj^{ty} Sold^{rs} committed no miſdemeanors and were not extravagant in proviſion that they ought not to pay for their proviſions, but if they were exceſſive in the expence of proviſions allowance ought to be made.

To the 3^d Propoſition of *York* County about quartering ſoldiers all care poſſible will in due time be taken by his Excellency, and the propoſition for the Governor and Councill to lay a Levy answered in *Lancaſter* Grievances.

The Reports of the Comm^{tee} to the Reſt of *York* County Propoſitions are agreed to by his Excellency and y^e Councill.

The Reports of the Comm^{tee} to the propoſitions of *Northumberland* County are by his Excell^{cy} and the Councill agreed to.

Vpon the ſecond part of the firſt propoſition of *Lancaſter* and other Counties propoſitions concerning y^e Govern^r and Councill laying a publique Levy his Excellency and the Councill are vnanimouſly of the opinion that it would be for the eaſe of the Charge of the Country according to the direction of a former Act in that caſe made and provided, Account thereof be given to the next Generall Affembly.

The Reports of the Comm^{tee} to the other propoſitions of the County of *Lancaſter* are by his Excellency and the Councill agreed to.

To the 1, 2 & 3 propoſitions of *Stafford* County about the Commander of the

The Reports of the Comm^{tee} to the rest of y^e propofitions of *Stafford* County, and agreed to by his Excell^{cy} and the Council

As to y^e propofition of *Henrico* County.

The Vote of the Houfe agreed to by his Ex^{cy} and the Council Guns, Pistolls, powder & shot onely excepted vnder y^e penalties of the former Lawes.

The Reports of the Comm^{tee} to the propofitions of *Rappak* County are agreed to by his Excellency and the Council.

The Reports of the Comm^{tee} to y^e propofitions of *Lower Norfolk* County are agreed to by his Ex^{cy} and the Council.

The Committees Reports to y^e opposition of *Charles City* County His Excell^{cy} and y^e Council agrees too.

The Comm^{tees} Report to the propofitions of *Nanzemond* County His Excell^{cy} & the Council agreed to.

The Comm^{tees} Report to the petition of y^e Inhabitants of *Pamunky* is agreed to by his Ex^{cy} & Council.

The Comm^{tees} Report to the propofition of *Henrico* County is by his Excell^{cy} and y^e Council agreed to.

The Comm^{tees} Report to the propofition of *Accomack* County is by his Excell^{cy} and the Council agreed to.

The Comm^{tees} Report to the propofition of *Northampton* County is by his Excellency & y^e Council agreed to.

The Comm^{tees} Report to the propofitions of *Surrey* County are by his Excellency and y^e Council agreed to.

The Report of the Com^{tee} on the propofition for clearing *Pamunkey* River agreed to by his Ex^{cy} And y^e Council but the fame to be made generall for the Clearing all Rivers & navigable Creekes.

The Report of the Comm^{tee} vpon Coll *Jn^o Pages* Petition being confidered His Excell^{cy} and the Council do find that the Report, of the Comm^{tee} is againft the Act concerning Indian Lands, and therefore do not agree to the fame.

The Report of the Comm^{tee} fetting forth y^e State of the Country The Council do concur that the fame is a true and full ftate of the Country.

The Report of the Comm^{tee} vpon the petition of the Inhabit^{ts} of *Black water & Currotuck*.

Its the opinion of the Council that his Excell^{cy} be defired to order and require the High Sheriff of *Lower Norfolk* County to demand and collect Rents and Levies of all the Inhabit^{ts} of *Blackwater & Currotuck* for Lands that they hold by Patent from this Colony, and if the Government of *Carolina* fhall difturb them for the payment of fuch dues, that the fheriffe of *Lower Norfolk* be authorized and Impowered to defend them in the paym^t of fuch Rent juftly due to this Colony, and likewise that his Excell^{cy} be defired to write to the Govern^t of *Carolina* to the Intent the Inhabit^{ts} of *Blackwater & Currotuck* may not be difturbed.

As to the propofitions of the Comm^{tee} about *dedimus* and Executions.

His Excell^{cy} & the Council will take care therein.

June 29th 1680.

By his Excell^{cy}

THAT being ready to ferue y^e Country & y^e houfe of Burgefles the beft I can in the bufines of the Ceffation according to their defire for the better effecting thereof I would be glad to receiue their reasons to offer to his Maj^{ty} & the Council

By his Excell^{cy}s order

Hen: Hartwell Cl Gen: Afs:

To y^e Houfe of Burgefles.

June

June 30th 1680.

Councils Amendm^{ts} on the Comm^{tees} Reports of Claimes.

Eliz City County.

IT IS the opinion of the Councill that Coll *Morison* ought to be allowed tenn pounds *Sterl* for his Claime

Northumberland County.

The Webb and Rigging of a Boat 2000 objected againft:

Mr *Shapleigh* for Sloop hire and provions..... 6000 objected againft.

Stafford County

*Taylor*s pay objected agst Information being made that he hath neglected the Countries Service.

Quigley for powder and Shot..... 1155 objected againft

Westmoreland County.

Sloop hire..... 7400 objected againft.

Mr *Quegleys* account... 14000⁰ objected againft.

Henrico County

Coll *Birds* Account & disburfments objected againft.

Charles Citty

Coll *Place* for Armes thought fit to be allowed as well as severall others.

Surry County.

Busbys Acc^{ts} objected againft, and for 6000 from *Surry* Court.

Nanzemund.

Coll *Potters* Claime allowed provided it doth appear by the Masters, Owners, or Hufbands of the Ships that brought in the Gunns, that Coll *Potters* paid the monyes demanded.

Yorke.

Madam *Diggs* Claime for meal being to severall of the Councill known to be justly due, and no allowance made, do think it ought to be allowed.

James Citty County.

Mr *Sanderfon* conceived to be allowed too little for himself and severall Officers.

Its the opinion of the Councill that Mr *Sherwood* & *Rably* ought to be paid for the Reparations of their houses besides the allowance made for Rent, the houses being very much impaired.

Its the opinion of the Councill that the Agents ought to be allowed 12000^{lb} of Tobacco & Caske each in Lieu of the 30^l apeece allowed by the house of Burgeffes.

The Petition of Coll *Leroy Griffin* for entertaining y^e hon^{ble} Sr *Hen: Chicheley*, severall Gent^{ls} and a party of horfe near a fortnight, and Rum for the Soldiers being considered, Its the opinion of the Councill that the Officers and Soldiers ought to pay for their Entertainment and the Rum, and that 5000^{lb} Tobacco be allowed for the Entertainment of Sr *Hen: Chicheley*, and fev^{ll} Gentl. wth him.

In Consideration of the great Loffes and Sufferings of Coll *Cad: Jones* in the service of the Country for defending the ffrontiers, and keeping, and securing at least thirty miles of *Rappahanock* River, thought vnreasonable to be allowed 15000^l of Tobacco and Caske.

Glofter.

Quere what Bookes Mr *Beverly* is allowed for, if Acts, then one to be for the Secretaries Office.

Quere why Mr *Bird* 50160, in *Glofter*, when he lues in *Henrico*, and to know the Particulars of the Account.

Nelfons Account objected againft.

The order of the House of Burgeffes sheweth Coll *B* ...

Its the opinion of the Councill that *Hen: Hartwell* Cl of Gen^l Affemb. ought to be allowed 15000^{lb} of Tobacco & Caske, they well knowing that in the year is more then any other Cl on the publique not accounting any thing of the generall Court.

By his Excell^{ty}

I conceiue myself and the Councill [See J. of H. of B., p. 140.]

July 2^d 1680.

To his Excellency

By the House of Burgeffes.

THIS Houfe signify to yo^r Ex^{ty} [See J. of H. of B., p. 139.]
 Amendm^{ts} by his Ex^{ty} & y^e Councill on A^{ct} for Towns
 folio 1st

in y^e 18th line after the word the Inter line

(ffeooffes of the

5 folio.

In the 11th line inftead of the words next after this present year, infert in their place from and after the first day of *January* next enfueing.

6

In the 5th line after the word Colony, add, from and after the 29th day of *September* w^{ch} fhall be in the year 1681 inftead of the words next after this present year.

8

In the 11th Line after the word A^{ct} the party that remoues, or tranſports fuch Tobaccoes haveing firſt made Oath before a Magiſtrate that he is realy and *bona fide* tranſporting the ſame to one of the 1st Warehouſes, inftead of theſe words, Removeall, or Tranſporta^{cion} of fuch Tob^a towards the ſaid Warehouſes at the time of fuch Seizure Attachments, and appearing ſo to be vpon Oath.

9

The firſt Line after y^e word Law all that Claufe to be left out.

ffrom the beginning of the A^{ct} for a Town Liberty to carry hides being the end of a Leaſe, agreed to.

Agreed to the Claufe for building Storehouſes at Landings.

The Claufe for takeing ſloopes or Boates not agreed to.

The Claufe for 100 Acres of Land to be purchaſed agreed and for every one that will build a Warehouſe and a Dwelling houſe agreed to. Surveyo^{rs} fees agreed to.

To that Claufe for the Encouragem^t of Tobacco, no Execution to be layd when the Tobacco is brought to the places, but not before.

Tradeſmen to be free from Arreſts & Executions within the places, and further added to be free from publique Levies, five yeare, they not planting Tobacco.

Paym^t of Levyes at the feveral places appointed not agreed to.

ffor the Law to be in force as to laying out of the Land & building within fix months after the publication and the time of forfeiture for ſhipping from other places then the places appointed, to begin from the firſt of *January* 1682.

The time for opening the Trade & the Reſtriction agreed to with the proviso.

An humble Application to his Maj^{ty} for a Ceffation in the year 1681 agreed to.

A Supplication for the 1st ¶¹¹ agreed to.

The half penny not agreed to.

A forfeiture for the 1st ¶¹¹ agreed to.

fforfeiture on Collectors agreed to.

Bill about Lawes agreed to.

As to the A^{ct} intituled *an A^{ct} ¶hibiting the Transportation of Engliſh monyes & forreigne Coines &c^a and ſetting a valuation thereon*. His Ex^{ty} and y^e Councill do perfift in their former opinions that the beſt way of doing of it, is by addreſs to his Maj^{ty}.

Amendm^t

Amendm^t for fending Sold^{rs} to Garrifons, In the 27 Line after the word **other**, added, togeather with horfes and furniture.

In the 28 Line after the word Bedding, to be carryed to fuch Garrifons at the Charge of the Country.

Provided alwayes and his Excellency is desired if he see Cause to draw off **ten** of the Sold^{rs} from each Garrifon for the ease of the Country supplying the same with **Ten** of his Maj^{ty} Sold^{rs}

July 3 1680

By the House of Burgeffes

IT IS Signified [See J. of H. of B., p. 140.]

By His Excellency

Altho' I think *Henry Hartwell* [See J. of H. of B., pp. 140-141.]

To His Excellency

By the House of Burgeffes

This house in all humility [See J. of H. of B., p. 141.]

July 5. 1680

By his Excellency

COLL *Phillip Ludwell* and Major *Richard Lee* [See J. of H. of B., p. 142.]

6th July 1680.

By his Excellency.

VPON the offer of the house of Burgeffes that M^r *Lee* might haue the house according to the Tenor of his Petition, its answered that M^r [Auditor *Bacon* vpon M^r *Quigleys* petitioning for the said houses, moved for them in^t the like nature, and M^r *Quigley* haveing since declined the same, Its most fit M^r Auditor *Bacon* should haue his desire in the said Houses, & M^r *Lee* the other House.

7th July 1680.

HIS Excellency adjourned y^e Affsembly to the fifteenth day of *ffbruary* next.

Hen: Hartwell

Cl Gen^l Afs:

ATT A

GENERAL ASSEMBLY

held Att

James Citty Aprill 18th 1682.

Att A General Affembly

held Att *James Citty* *Aprill* 18th 1682.

Die Martis 18^{mo} Aprilis 1682

THE R^t Hon^{ble} L^t Gouvern^r and the Councill meet, according to the tenor of the writts, in order to hold An Affembly.

The L^t Gouvern^r with the Councill Adjournes to the beat of the third Drum tomorrow.

Die Mercuris 19^{mo} Aprilis: Post Meridiem

COLL *Wm: Bird*, Cap^t *Richard Whittaker*, M^r *Jo^s Speir* and M^r *Thomas Taberrer* waite upon the Gouvern^r and request him to appoint some of the Councill to Administer the Oaths *Viz*, of Allegiance, Supremacy and of a Burgefs to the new elected members

The L^t Gouvern^r desires the Gentlemen att their return to acquaint M^r *Speaker*, he is desirous to speake with him

M^r *Speaker* with some members of the house of Burgeffes and their Clerk attend the Gouvern^r

The L^t Govern^r acquaints M^r *Speaker*, that by commands lately recd, from his most Sacred Majesty, he is not to suffer or permitt any Affembly to be called or fitt, untill the tenth of *November* and that he will call the house before him on the morrow, and acquaint them with his Majesties commands, foe that there was no occasion of fwearing the new elected members.

M^r *Speaker* with his attendance returns

Die Jouis 20^{mo} Aprilis

MAJOR *Geo: Morris* Cap^t *Richard Whitaker*, M^r *James Biffe* and M^r *Hen: Mills* waite upon the L^t Gouvern^r and present to him An Addrefs from the House, for his continuance of this present Affembly

The Addrefs is as foll

To the R^t Hon^{ble} S^r Hen: Chicheley Kn^t his most Sacred Majesties Deputy Gouvern^r and to the Hon^{ble} Councill of State

The humble supplication of his Majesties most humble distressed and Loyall Subjects of his Majesties Countrey of Virginia

In all humility present

R^t Hon^{ble}

That wee our most Dread and most gracious Soueraignes most humble and loyall Subjects [See J. of H. of B., 1659/60-93, pp. 158-159.]

The Addrefs being read and debated, It was ordered that *Edward Chilton* Cl: of the Councill should goe to the House of Burgeffes and acquaint M^r *Speaker* that the L^t Gouvern^r desired and required him and the house of Burgeffes to attend the L^t Gouvern^r and Councill in the Court house, att the beat of the first Drum.

The Clerk returns with answer from the House of Burgeffes that M^r *Speaker* and the rest of the Burgeffes would readily obey the L^t Gouvern^rs Commands and attend accordingly.

Post

Post Meridiem

AFTER the drum had done beating the L^t Gouvern^r with the Councill repaired to the Court house, where haueing spent some considerable time without the Attendance of any of the Burgeffes; It was unanimously resolved and accordingly ordered that the Clerke of the Councill should forthwith wait upon the house of Burgeffes and acquaint M^r *Speaker* that the L^t Gouvern^r had long time waited for the house of Burgeffes and then expected and required the Houses immediate Attendance on him and the Councill in the Court house, as he had before appointed.

The Clerke goes on his message, returns and says that at his first entrance into the house being Admitted, he was commanded by M^r *Speaker* to retire and withdraw himselfe awhile.

Ordered a Second time, that the Clerke goe to the House of Burgeffes.

Before the Clerke was discharged from the L^t Gouvern^r with his message, a messenger from the house of Burgeffes comes into Court house, and acquaints the Clerke that M^r *Speaker* had sent for him

The Clerke in obedience to the L^t Gouvern^r command and at M^r *Speakers* request leaves the Court house, waits on the house of Burgeffes and acquaints M^r *Speaker*, that he had received a command from the L^t Gouvern^r to wait upon the house and acquaint them, that he with the Councill had long time waited for, and still continued in expectation of their Attendance, which the L^t Gouver^r required should be immediately.

The Clerke returns and says, that although he was commanded by the L^t Gouvernour to goe a second time to the house of Burgeffes and sent for by the Speaker, yet he waited neer half a hour, before he received his admittance, which when allowed, delivered his message, to which M^r *Speaker* made answer y^t the house would consider of what was delivered.

Coll Wm: *Loyd* &c from the house of Burgeffes acquaints the L^t Gouvern^r that a messenger lately came into their house as from the L^t Gouvern^r whom their house not knowing, they could take noe notice of

The L^t Gouvern^r returns his Answer in writeing, which was sent by the Cl: of the Councill the next morning.

Die Veneris Apr: 21. 1682.

The Answer foll:

M^r *Speaker*

IDID feuerall times yesterday send *Edward Chilton* [See J. of H. of B., pp. 162-163.]

Maj^r *Cha: Scarburgh* &c comes from the House of Burgeffes and request the Gouvern^r to appoint Councill to swear the new elected Burgeffes.

The L^t Gouvern^r acquainted the Gentlemen, that he had oftentimes sent for M^r *Speaker* and the house to Attend him, to impart his Majesties Letter unto them, and till there coming would neither hear any messages nor permitt the new members to be sworn.

The Gent returne to their house, they are againe sent with a written message directed to the L^t Govern^r & Councill

The Message foll:

To the R^t Hon^{ble} His Majesties Deputy Gouvern^r of Virginia and to the Hon^{ble} Councill of State

The House of Burgeffes humbly present

This house haueing taken into their considerations y^r Hon^{rs} returne of their message [See J. of H. of B., p. 161.]

M^r Wm: *Fitzhugh* and L^t Coll *John Farrar* from the house of Burgeffes waite upon the Gouvern^r and acquaint him that the House is ready to attend his Commands

The

The L^t Gouvern^r makes answer that he is ready to receive and admitt their Attendance:

The two members of the house of Burgeses return to their house

The L^t Gouvern^r attended with the Councill, repaired to the Court house.

M^r *Speaker* accompanied with the whole house of Burgeses attend the L^t Gouvern^r in the Court house;

Coll *Wm Cole* by order from the Hon^{ble} L^t Gouvern^r reads to M^r *Speaker* and the House of Burgeses that part of his Majesties letter, which commands the disbanding the two foot companies, as well officers as priuate Soldiers att *Christmas* last, unless the Gouvern^r Councill and Assembly should desire and agree to pay them out of the reuenue raised or to be raised, within his Colony, for that purpose

The letter being read, the L^t Gouvern^r desired M^r *Speaker* & the house of Burgeses refult therein

M^r *Speaker* replied, it was a matter of great importance, therefore desired he and the rest of the Burgeses might be admitted to retire to their house to advise & consult therein.

The L^t Gouvern^r charges M^r *Speaker* to lay aside all other debates and returne their answer, with all expedition, to his Majesties letter.

M^r *Speaker* with the Burgeses returns to their House. Coll *Wm: Loyd* with other of the Burgeses waite upon the L^t Gouvern^r with a written message from their house.

The Message foll.

The house haueing considered what was read to them by Coll *Wm: Cole*, ...
[See J. of H. of B., p. 163.]

The message read

Ordered that Coll *Wm: Cole* and *Ra: Wormeley Esq* swear the new elected Burgeses.

By his Majesties Deputy Gouvern^r

I doe hereby nominate and appoint Coll *Wm: Cole* [See J. of H. of B., p. 163.]

Coll *Wm: Cole* and *Ralph Wormeley Esq* returne and say they haue administred the Oaths of Allegiance, Supremacy, and of a Burgeses to the new elected members, that were present.

Ordered that Coll *Joseph Bridger* goe to the House of Burgeses, with a copy of y^e part of his Majesties letter, that relates to the disbanding the soldiers.

The words foll

Charles R.

Trusty and wellbeloued [See J. of H. of B., p. 164.]

Coll *Joseph Bridger* returns from the house of Burgeses and acquaints the L^t Gouvern^r & Councill that the house of Burgeses seemes well satisfied with the transcript of that part of his Majesties letter.

Die Saturni Ap: 22: 1682

MR. *Tho: Clayton* &c from the house of Burgeses waite upon the L^t Gouvern^r and return him the thanks of their whole house, for appointing Councill for swearing the new elected Burgeses, and likewise for sending a copy of that part of his Majesties letter, which relates to them.

The L^t Gouvern^r desires the Gentlemen to acquaint M^r *Speaker* and the house of Burgeses, that he expected their full and speedy answer to his Majesties letter and till then to lay aside all other debates.

The Gentlemen return

Die

Die Lunæ: Ap: 24th 1682 Post Meridiem

A WRITTEN meffage fent from the L^t Gouvern^r by the Clerke of the Councell,
which foll
M^r *Speaker*

Haueing receiued a Command from his Majefty [See J. of H. of B., pp. 167-168.]

Coll S^t *Leger Codd* and others from the Houfe of Burgeffes bring an Anfwer to the laft meffage, and deliuer it to the L^t Gouvern^r

The Anfwer foll

This Houfe haueing read the late meffage from the R^t Hon^{ble} the Gouvern^r . . .
. . . [See J. of H. of B., p. 168.]

Die Martis. Ap: 25. 1682

O RDERED that M^r Secretary *Spencer* tranfmitt to *England* Coppies of the Journall of this Board, the Houfe of Burgeffes, as likewise of all other proceedings, relating to this prefent Affembly, and that he take effectual care, that the fame be prefented to the R^t Hon^{ble} S^r *Lyonell Jenkins* his Majefties Principall Secretary of State.

Moued in Councell, whether the Affembly fhould continue being now mett, or be prorogued;

Refolued nemine contradicente, that in obedience to his Majefties Commands, the Affembly be prorogued (this afternoon) untill the tenth of *November* next:

Ordered that the Clerke of the Councell waite upon M^r *Speaker*, and acquaint him, that the L^t Gouvern^r defires, as foon as the houfe of Burgeffes are mett, y^t he would fignifye the fame to him.

The Clerke returnes and fayes he deliuered his meffage, to M^r *Speaker*, who promifed to readily obey the Gouvern^rs Commands

Post Meridiem

THE L^t Gouvern^r and Councell repaire to the Court Houfe; Coll *Wm: Bird* and Capt *John Matthews* from the houfe of Burgeffes attend the L^t Gouvern^r and acquaint him their houfe is mett:

The two members of the houfe of Burgeffes returne to their Houfe

Ordered y^t the Clerke of the Councell goe to the houfe of Burgeffes and acquaint M^r *Speaker*, that the L^t Gouvern^r expects and requires his and the reft of the Burgeffes Attendance on him in the Court houfe immediately.

The Clerke returnes

M^r *Speaker* with the whole houfe of Burgeffes attend on the L^t Gouvern^r in the Court houfe, according to direCTIONS

The L^t Gouvern^r defires M^r Secretary *Spencer* to read to the houfe of Burgeffes, then prefent that part of his Majefties letter, which commands the proroguing the Affembly

M^r Secretary reades

The Wordes foll

Charles R

Trusty and wellbeloued [See J. of H. of B., p. 169.]

The letter being read, the L^t Gouvern^r was pleafed, (by the Aduice of the Councell) to prorogue the Affembly in thefe following words

In purfuance of his Majefties letter, I doe in his Majefties name prorogue you unto the tenth of *Novemb^r* next.

Copia Vera

Teft

Nicho: Spencer fecy

THE
JOURNAL
OF THE
GENERALL ASSEMBLY
OF
VIRGINIA

begun Att *James Citty* y^e tenth day of *Nouember* and
ended y^e two and twentieth day of *December Anno*
Regni Regis Caroli Secundi Nunc Angliæ &c 34^o:
Annoq Domini 168 $\frac{2}{3}$ [1682]

The Journal of The Generall Affembly of *Virginia*
 begun Att *James Citty* y^e tenth day of *Nouember* and ended
 y^e two and twentieth day of *December Anno Regni Regis*
Caroli Secundi Nunc Angliæ &c 34^o: Annoq Domini 168²₃
 [1682]

Prefent

His Excellency <i>Thomas Lord Culpeper</i> Gouvern ^r &c	
S ^r <i>Hen: Chicheley</i> Kn ^t	Coll <i>Phillip Ludwell</i>
M ^r Secretary <i>Spencer</i>	Coll <i>W^m Cole</i>
M ^r Auditor <i>Bacon</i>	<i>Ralph Wormeley</i> Esq ^r
Maj ^r Gen ^l <i>Smith</i>	Coll <i>Richard Lee</i>
Coll <i>Joseph Bridger</i>	Coll <i>Matthew Kemp</i>

Coll *John Page*

The Burgeffes for y^e fveral Counties.

<i>Henerico</i>	Coll <i>W^m Bird</i>	<i>New Kent</i>	Coll <i>John West</i>
	L ^t Coll <i>Jo^s Farrer</i>		M ^r <i>Cha: Turner</i>
<i>Charles Citty</i>	M ^r <i>James Minge</i>	<i>Glocester</i>	M ^r <i>John Buckner</i>
	M ^r <i>James Biffe</i>		Maj ^r <i>Hen: Whiting</i>
<i>James Citty</i>	M ^r <i>Tho: Clayton</i>	<i>Middx</i>	M ^r <i>Xpher Robinson</i>
<i>Jam Citty County</i>	Coll <i>Tho: Ballard</i>		M ^r <i>Abra: Weekes</i>
	M ^r <i>W^m Sherwood</i>	<i>Rappā:</i>	Coll <i>John Stone</i>
<i>Surry</i>	Coll <i>W^m Brown</i>		M ^r <i>Henry Awbrey</i>
	Maj ^r <i>Arth: Allen</i>	<i>Lancaster</i>	Capt: <i>W^m Ball</i>
<i>Ifle of Wight</i>	Coll <i>Arthur Smith</i>		Maj ^r <i>Edw^d Dale</i>
	Coll <i>James Powel</i>	<i>Northumbld</i>	Coll <i>Tho: Brereton</i>
<i>Nanzemd:</i>	Coll <i>Jo^s Lear</i>		M ^r <i>W^m Presly</i>
	M ^r <i>Jo^s Brashear</i>	<i>Westmld</i>	L ^t Coll <i>Ifaac Allerton</i>
<i>Low^r Norfolke</i>	Coll <i>Lemuel Mafon</i>		M ^r <i>W^m Hardridge</i>
	M ^r <i>Mala Thruston</i>	<i>Stafford</i>	M ^r <i>W^m Fitzhugh</i>
<i>Eliz: Citty</i>	Capt: <i>Arth: Armstead</i>	<i>Accomack</i>	Coll <i>Dan^l Jenifer</i>
	M ^r <i>Baldwin Shepherd</i>		M ^r <i>Edw^d Read</i>
<i>Warwick</i>	Capt: <i>John Langhorne</i>	<i>Northampton</i>	Coll <i>W^m Kendal</i>
	Capt <i>Miles Carey</i>		M ^r <i>Tho: Hunt</i>
<i>York</i>	M ^r <i>Hen: Jenkins</i>		
	M ^r <i>Tho: Barber</i>		

Die Veneris 10^o die Nouembris 1682.

THE L^t Gouvern^r with fome of y^e Councel meet according to y^e tenor of the writts
 in order to hold An Affembly

Die Martis 14^o die Nouembris

THE L^t Gouvern^r Attended with most of y^e Council repaires to y^e Court houle, where *It was ordered* that y^e Clerk of ye General Assembly should waite on y^e houle of Burgeses and acquaint them y^t y^e L^t Gouvern^r and Council required their immediate Attendance in the Court houle.

The Clerk returnes with answ^r, that y^e houle of Burgeses would most readily obey the L^t Gouvern^rs Commands.

The houle of Burgeses Attend y^e L^t Gouvern^r & Council in y^e Court houle.

The L^t Gouvern^r speakes as followes

The last time I had y^e honour and satisfaction of meeting you, y^e Hon^{ble} Gentlemen of his Majesties Council and y^e Gentlemen of the then houle of Burgeses, in this place, on this occasion, I then imparted his Majesties Commands, w^{ch} in that juncture, I had y^e honour to receiue, in w^{ch} his Majesty was pleased to signifye his Excellency The Lord *Culpeper* should return to this his Lordships Governm^t with full signification of his most sacred Majesties Royall will and pleasure, in all affaires of this Government. his Excellencies Arriual is daily, nay hourly, expected, of w^{ch} we haue as full Assurance, as from Sea expectation can possibly be, some ships being lately arriued giue most positive Account, that his Lordship was to faile, from y^e *Downes*, y^e next day; upon which consideration, and to y^e intent wee may y^e best way husband our time, I shall at present, only recommend to y^r consideration, aduice and performance, y^e discharge of y^e Publick Credit, w^{ch} principally hath arisen, for y^e maintenance of y^e Garrisons, as likewise y^r aduice, whether you Shall find it necessary, longer to continue them, or haue them flighted. This is Att present y^e *Vnum Necessarium*, w^{ch} I desire you to take into y^r serious consideration and not enter into any other debates, but wholly compose y^r felues calmly and Speedily to this affaire proposed, And this I desire of you and only giue you in charge, from y^e regard I haue to y^e care of y^r own persons and y^e mitigation of a greater charge, w^{ch} unauoidably will attend y^r long continuance, and that only to propose and debate matters, upon unfure foundations, w^{ch} will foe be, until y^e Signification of his Maj^{ties} will and pleasure, or y^e Arriual of y^e Lord *Culpeper*: I hope you came here with hearts and minds foe truly zealous, for y^e seruice of his Maj^{ty} and Good of y^e Countrey, nay I say, I doe not only foe hope, but I firmly and fully foe beleive of you, therefore shall not spend more time in words to set forth this my desire unto you, but pray to God to guide our Councils and these our endeauors.

Hen: Chicheley.

The L^t Gouvern^r commands y^e houle of Burgeses to return to their houle and proceed to y^e election of their Speaker.

The Burgeses goe to their houle.

The houle returnes and present Coll *Thomas Ballard* for their Speaker.

The L^t Gouvern^r and Council allow of their choice & commend y^e same.

Coll *William Brown*, L^t Coll *Daniel Jenifer* and M^r *Malachy Thruston*, waite upon y^e L^t Gouvern^r from y^e houle of Burgeses, and request his honour to appoint Council, to administer y^e oathes, as by Law required, to y^e respectiue members.

The L^t Gouvern^rs Commiffion followes

I doe hereby nominate, order and appoint Coll *Joseph Bridger* and Coll *Phillip Ludwell* two of his Majesties Council of State, in this Colony, to administer y^e Oaths of Allegiance and Supremacy, as likewise y^e Oath of a Burges to euery Indiuidual member of this Assembly, Giuen under my hand this 14th day of *November* 1682.

Hen: Chicheley.

The Gentlemen of y^e Council return with answ^r, that they had administred y^e Oaths of Allegiance, Supremacy and of a Burges to All y^e members present.

The L^t Gouvern^r and Council adjourn till y^e morning

Die

Die Mercurii 15th

A MESSAGE from y^e house of Burgeffes by Coll W^m Kendall &c
November 15th 1682.
Resolved and ordered That a message be sent by Coll W^m Kendall, Coll
Arthur Smith, Major *Arthur Allen*, and Capt: W^m Ball to y^e Hon^{ble} Govern^r
 and Councel, with an Addresse to their Hon^{rs} and pray them, that y^e Records, Journalls,
 Bookes and all manner of other papers and letters belonging to, or that may concerne
 this house, and late in y^e possession of Major *Robert Beverley*, as Clerk of y^e Affembly,
 or otherwise, may be deliuered to this house.

Tho: Ballard Speaker

The answer follows

By The L^t Govern^r and Councel

Vpon y^e request and desire of y^e house of Burgeffes, that all books Journalls and
 whatfoever papers were formerly in y^e possession of Maj^r *Robert Beverley*, as Clerk,
 relating to y^e Publick, w^{ch} by order of Councel were taken out of his custody and
 keeping, may be deliuered to y^e house of Burgeffes. I'ts Answered and accordingly
resolved and ordered that M^r Secretary *Spencer* doe deliuer unto such members of y^e
 house of Burgeffes, as that house shall appoint, all books, Journalls and papers by order
 of Councel taken out of y^e possession of Major *Robert Beverley*, and committed to y^e
 care, charge and keeping of M^r Secretary *Spencer* and that accordingly a list be taken
 of all such books, Journalls and papers redeliuered and Subscribed by those members
 of y^e house of Burgeffes, as shall be appointed to receiue them.

Edw^d Chilton Cl Gen^{ll} Aff^{bly}

Ordered that y^e Clerk goe to y^e house of Burgeffes and present y^e aboue answer to
 y^e addresse of y^e house of Burgeffes to M^r *Speaker*.

The Clerk returnes.

Coll W^m Kendal with others from y^e house of Burgeffes waite upon y^e L^t Govern^r
 and desire his honour to fauour their house with a copy of his charge.

The Gentlemen return

Ordered that Coll *Natha Bacon* and Coll W^m Cole carry y^e L^t Govern^rs Speech to y^e
 house of Burgeffes, and desire y^e Speaker, after they have taken a copy, to return y^e
 Original

Coll *Bacon* and Coll *Cole* return

A message sent from y^e house of Burgeffes by M^r *Tho Clayton &c.*

The message follows

November 15th 1682

By the house of Burgeffes

M^r *Edward Chilton* brings into this house An order of y^e Govern^r and Councel, that
 M^r Secretary *Spencer* doe deliuer unto such members of y^e house of Burgeffes, as y^e
 house shall appoint, all books, Journals and papers, by order of Councel, taken out of
 y^e possession of Major *Robert Beverley*, and committed to y^e care, charge and keeping of
 M^r Secretary *Spencer*, and y^t a list be taken of all such books, journalls and papers
 deliuered and Subscribed by those members y^e house Shall appoint to receiue them,
 w^{ch} order was subscribed (*Edw^d Chilton Cl Gen^{ll} Aff^{bly}*)

This house doth unanimously except, ag^t y^e subscription of y^e last recited order, of
 y^e Govern^r and Councel, as unufual, introduced without any former usage or custome
 in this house, neuerthelesse, fauing to this house y^e antient Rights, Priuiledges and
 usages thereof, and with protestation, that noe aduantage shall be thereby taken, to y^e
 prejudice of this house, doe order and appoint M^r *Thomas Clayton*, Major *Henery*
Whiting, M^r W^m *Fitzhugh* and M^r *Christopher Robinson* to Attend upon M^r Secretary
Spencer, to receiue y^e books, Journals &c mentioned in y^e said order of y^e Hon^{ble}
 Govern^r and Councel, according to y^e purport of y^e said order and upon receipt to
 convey y^e same books journalls &c into this house.

Tho: Ballard Speaker
 M^r

Mr Secretary deliueys y^e books, journals &c
The receipt followes

Wee the subſcribers being appointed by y^e houſe of Burgeſſes, to receiue what books, papers and journals Mr Secretary *Spencer* had in his cuſtody, belonging to y^e Publick, formerly in y^e poſſeſſion of Major *Robert Beverley*, as Clerk of y^e houſe of Burgeſſes, doe hereby acknowledge, to haue receiued from Mr Secretary *Spencer* all books, papers and journals, mentioned in y^e liſt ſubſcribed by *Ralph Wormeley* Eſq, Coll *Matthew Kemp* and Coll *Chriſtopher Wormeley*, as likewiſe what books, papers, and journals were mentioned in y^e liſt ſubſcribed by *Peter Beuerley*, according to each particular bundles endorſement, wee doe hereby acknowledge to haue receiued y^e ſame, as witneſſe our hands this 15th day of *November* 1682

Tho: Clayton
Hen: Whitings
Will: Fitzhugh
Chr: Robinſon

Die Jouis 16^o Nouembris 1682

A MESSAGE ſent from y^e houſe of Burgeſſes by Coll *Lemuel Maſon* and Capt: *John Langhorne* by word of mouth to y^e L^t Gouvern^r and Councel, to acquaint their Hon^{rs}, that] they had made choice of a Clerk and deſired y^e L^t Gouvern^r to appoint Councel to ſwear him accordingly.

The L^t Gouvern^rs Anſwer

Mr Speaker and Gentlemen of y^e houſe of Burgeſſes

I haue received a meſſage from y^e houſe, by two of y^e members acquainting me y^e houſe deſired I would aſſigne Councel to ſwear y^e Clerke, but haue not giuen me y^e knowledge of y^e perſon newly elected, I expect you preſent me his name ſoe elected, before I aſſigne Councel

Hen: Chicheley

November 16th 1682

The two following meſſages ſent from y^e houſe of Burgeſſes by Coll *William Kendal* and Capt *John Langhorne*

Thurſday November 16th 1682

It being put to y^e vote of this houſe, whether L^t Coll *Thomas Milner* or Mr *James Minge*, ſhal be Clerke of this Affembly, y^e S^d *Thomas Milner* is by y^e majority of votes elected Clerke of y^e Affembly

Tho: Ballard Speaker

Thurſday November 16th 1682

Whereas y^e houſe of Burgeſſes haue elected and appointed *Tho: Milner*, who was returned a Burgeſſe, for y^e County of *Nanzemond*, to be Clerk of y^e Affembly, and y^e ſaid *Thomas Milner* being by y^e ſaid election rendered incapable, to ſerue in y^e capacity of a Burgeſſe;

The Hon^{ble} Gouvern^r is therefore requested, that a writt may be directed to y^e Sheriffe of *Nanzemond* County, for y^e election of another Burgeſſe, for y^e ſaid County, in y^e room of y^e ſaid *Thomas Milner*.

Tho: Ballard Speaker

Ordered that y^e Clerk goe with y^e following meſſage to y^e houſe of Burgeſſes, in anſwer to their meſſage.

Mr Speaker and Gentlemen of y^e Houſe of Burgeſſes.

I doe well approue of y^e choice of L^t Coll *Thomas Milner*, to be y^e Clerk of y^e houſe, and haue accordingly aſſigned Coll *Joſeph Bridger*, and Coll *Phillip Ludwell*, two of his Majeſties Councell, to ſwear him Clerk of y^e houſe of Burgeſſes, and att y^e requett,

request, I haue ordered y^e Clerk to prepare a writt, for my signing, directed to y^e Sheriffe of *Nanzemond*, to conuene y^e freeholders of that County and to proceed to y^e election of a new representatiue, in y^e room of him, who is now y^e Clerk.

Hen: Chicheley.

The Clerk goes to y^e house of Burgefes, deliueys y^e meffage to y^e Speaker

The Clerk returnes

Coll *Joseph Bridger* and Coll *Phillip Ludwell* goe to y^e house of Burgefes, with intent to fwear L^t Coll *Thomas Milner*, att y^e request of y^e house of Burgefes, their Clerk

Coll *Joseph Bridger* and Coll *Phillip Ludwell* return and fay, y^e house of Burgefes would confider of y^e oath, offered to be administred to y^e Clerk of y^e house of Burgefes.

Post meridiem Nouembris 16^o 1682.

A MESSAGE from y^e house of Burgefes by M^r *John Buckner* and M^r *Baldwin Shepherd*

This house hauing under their confideration y^e matter concerning y^e Swearing y^e Clerk of y^e Affembly, w^{ch} passed this forenoon, when y^e Gentlemen of y^e Council were in this house

The house doe all unanimously agree and resolue, that his honour y^e Gouern^r may be requested, y^t a conference may be had, with some of y^e Hon^{ble} Council, and some members to be appointed by this house, and that if it stand with their Hon^{rs} conueniency it may be forthwith had.

Tho: Ballard Speaker

The L^t Gouern^rs Answer

M^r Speaker and Gentlemen of y^e house of Burgefes

Whereas y^e house of Burgefes haue requested, that a conference be held, with some of y^e Council and some of y^e house of Burgefes, in y^e debate of a Clerk to be fworne for y^e house of Burgefes, I doe nominate and appoint M^r Secretary *Spencer*, M^r Auditor *Bacon*, Coll *Joseph Bridger*, Coll *Phillip Ludwell* and Coll *W^m Cole* fwe of his Maj^{ties} Council to hold a conference in y^e aforefaid matter, and that y^e weighty bufinesse of this General Affembly, may not be retarded, I desire this conference be not delaied

Hen: Chicheley

Nouember 16th 1682

Ordered that y^e Clerk carry y^e aboue meffage, to y^e house of Burgefes and deliuer it to M^r Speaker

The Clerk proceeds on his meffage

The Clerk returnes

Coll *John West* and M^r *Edward Read* from y^e house of Burgefes, wait upon y^e L^t Gouern^r and giue him thanks, for affigning Council to hold a conference, with some of their members in y^e debate relating to y^e fwearing y^e Clerk of y^e house of Burgefes, and as soon, as their Clerk can conueniently, y^e names of those, who are to manage that conference shall be sent to his Hon^r

The Gentlemen return

Coll *William Kendal* with other Gentlemen present the following meffage

Post Meridiem Nouember 16th 1682

Coll *W^m Kendal*, M^r *W^m Fitzhugh*, M^r *W^m Sherwood*, M^r *Charles Turner*, Coll *Thomas Brereton*, M^r *Christopher Robinson*, M^r *Thomas Clayton*, Coll *John Lear*, Coll *Lemuel Mafon*, M^r *James Minge* are appointed to mannage the conference with y^e Gentlemen of y^e Council, appointed by the Hon^{ble} Govern^r concerning y^e Clerk of y^e Affembly, why y^e Clerk chosen by this house, should not be fworne and continued Clerk

Clerk of y^e Affembly, according to y^e auntient ufages & practices of all former Affemblyes in this Country, and thefe Gentlemen fhall make ufe of fuch reafons, and Arguments, as haue been ufed in this houfe and other, as they fhall think fitt, for y^e management of y^e conference.

Tho: Ballard Speaker

Die Veneris 17^o 9bris 1682

A MESSAGE from the houfe of Burgeffes by Coll *W^m Kendal* and M^r *W^m Fitzhugh*

Fryday Nouember 17th 1682

Vpon confideration and full debate of y^e report of y^e Gent of y^e conference and y^e arguments and reafons urged and ufed by diuers members of this houfe, upon y^e fame, & for an Accomodation and to y^e end this Affembly may goe on and proceed in y^e difpatch of that affaire, for w^{ch} they are now conuened:

Refolued Nemine Contradicente, y^e y^e ufages and auntient laudable and neceffary cuftomes of this houfe be from henceforth obferued and maintained, and that an humble addrefse be forthwith made by this houfe to y^e Hon^{ble} Gouern^r and Councel, that for y^e future in Committees fome of y^e Hon^{ble} Councel may be affigned by y^e Hon^{ble} Gouern^r (upon y^e request of this houfe) to join with and affift y^e Committees of this houfe, in y^e debating & preparing matters for y^e confideration of y^e Gen^l Affembly as hath been formerly ufed in any Grand Affembly heretofore held by y^e Hon^{ble} Gouern^r Councell and Burgeffes of this his Maj^{ties} Dominion, and that for y^e expediting and difpatch of y^e Countries bufineffe y^e Clerk of y^e Affembly may be fworne, as hath been formerly ufed and Accuftomed

Tho: Ballard Speaker

Ordered that y^e Clerk attend M^r *Speaker* in y^e houfe of Burgeffes, and acquaint him, that y^e L^t Gouern^r requires him and fome of y^e members of that houfe to Attend him and y^e Councel immediately in y^e Councel Chamber.

The Clerk proceeds on his meffage

The Clerk returnes with anfwer, that he has acquainted M^r *Speaker* with y^e L^t Gouern^rs Commands, and M^r *Speaker* made noe reply

about halfe an hour after

Coll *John Weft*, Coll *Thomas Brereton* and M^r *Xpher Robinson* with another from y^e houfe of Burgeffes waite upon y^e L^t Gouern^r and acquaint him, that by order of their houfe, they waite upon his Hon^r to receiue his Commands

The L^t Gouern^r acquaints the Gentlemen, that he fent for M^r *Speaker* and halfe a dozen of their members.

The Gentlemen begg his pardon, with apprehenfions that y^e meffage was wrong deliuered, and return faying, that their Speaker would waite upon his honour in y^e morning.

Major *Arthur Allen*, Coll *Lemuel Mafon*, M^r *Tho: Barber* and M^r *Baldwin Shepherd* waite upon y^e Gouern^r and acquaint him, that by order from their houfe they waite upon his Hon^r and acquaint him their houfe was flender and it was late att night, therefore they defired, that it might be defferred till y^e morning.

The L^t Gouern^r acquaints them, that he would moft willingly haue conferred with y^e Speaker and fome of y^e members of their houfe, to y^e end y^e Countries bufinefs might not be delaied and that he would moft willingly ftay till ten or eleuen of y^e Clock att night, provided y^e Speaker with fome of their houfe would attend him

The Gentlemen return with anfwer, that they were bound by Inftuctions to fay noe more.

Die

Die Saturni 18^o 9bris 1682

ORDERED that y^e Clerk waite upon M^r *Speaker*, in y^e house of Burgeffes and acquaint them that y^e L^t Gouvern^r and Councel are met.

The Clerk goes and acquaints M^r *Speaker* with his meffage.

The Clerk returnes with anſwer, that M^r *Speaker* would fuddenly return anſwer to y^e Gouvern^rs Commands.

M^r *Speaker* Attended with M^r *John Buckner*, M^r *Henery Whiting*, M^r *W^m Fitzhugh*, M^r *Chriſtopher Robinſon*, M^r *Thomas Barber* and M^r *Cha: Turner* waite upon y^e Gouvern^r

The L^t Gouvern^r acquaints them, that he had ſent for them yeſterday, and is ſomewhat diſpleaſed, that they ſtand ſoe long upon niceties, with diſputing y^e title of Clerk of y^e Affembly, comparing this to y^e Parliament of *England*, and y^t he had affigned Councel to ſwear their Clerk, Clerk of y^e houſe of Burgeffes and produced a Preſident wherein their Clerk formerly ſigned *Cler: Dom: Com:* deſired them to delay noe more time, by ſpending y^e Countries money in uain, but to return their anſwer fuddenly

M^r *Speaker* with y^e reſt of y^e houſe return.

M^r *Henery Whiteing* with M^r *Miles Cary* from y^e houſe of Burgeffes waite upon y^e L^t Gouvern^r and Councel, deſiring their Hon^{rs} to tranſmit to their houſe y^e Preſident produced, ſigned by M^r *Corker*, that y^e Clerk of y^e houſe of Burgeffes formerly ſigned himſelfe *Cler: Dom: Com:*

The Gentlemen return with y^e paper

Coll *Daniel Jenifer*, M^r *Hen: Jenkins* and M^r *Xpher Robinſon* from y^e houſe of Burgeffes waite upon y^e L^t Gouvern^r and preſent him with y^e following paper.

To the R^t Hon^{rs}ble y^e Gouvern^r and y^e Hon^{rs}ble Councel of State

The humble addreſs of y^e houſe of Burgeffes in behalfe of themſelues and y^e whole Commonality of this his Maj^{ties} Dominion of Virginia

This houſe doth firſt humbly offer to y^r Hon^{rs} that they doe conceiue, they haue not in any manner been negligent of y^e Country Affaires, nor of y^e diſcharge of y^e truſt repoſed in them, ſince their coming together, and doe reſolue with one mind, to uſe their utmoſt endeauors in their further proceſſe, in this Affembly to manifeſt their obedience to y^r Hon^{rs}

And they doe humbly pray y^r Hon^{rs} y^t you would be pleaſed, that they may receiue from y^r Hon^{rs} in writing an anſwer to y^e meſſage, being a reſolution of this houſe ſent yeſterday to y^r Hon^{rs} by y^e hands of Coll *W^m Kendall* and M^r *W^m Fitzhugh*

Tho: Ballard Speaker

November 18th 1682

The L^t Gouvern^rs anſwer returned by y^e Clerk

M^r *Speaker* and Gentlemen of y^e houſe of Burgeffes

On *Thurſday* att y^r requeſt I affigned Councel to ſwear y^r Clerk accordingly doe now offer y^e ſame and to be ſworne, as its y^r right and due, to haue him ſworne Clerk of y^e houſe of the houſe of Burgeffes: I earneſtly requeſt and require you, that youl not looſe more time, but fall diligently and ſeriously to thoſe affaires, I gaue you in charge, and expect y^r performance that this our meeting, as its moſt heartily deſired and wiſhed may haue an happy accord and ſuccesfull cloſure.

Hen: Chicheley

9^{br} 18th 1682

The Clerk returnes with anſwer that he has deliuered the aboue meſſage to M^r *Speaker*

L^t Coll *James Powel*, Coll *John Stone*, Coll *Thomas Brereton* and Major *Arthur Allen* from y^e houſe of Burgeffes waite upon and preſent y^e Gouvern^r with y^e following meſſage

Saturday November 18th 1682

It is y^e unanimous uote of this houſe that y^e writing now brought from y^e Hon^{rs}ble Gouvern^r by M^r *Edward Chilton* Clerk of y^e Councel is not a full anſwer to their humble Addreſſe

Addresse this day fent to his Hon^r and Councel, by y^e hands of Coll *Daniel Jenifer*, M^r *Xpher Robinjon* and M^r *Henery Jenkins*, for that noe notice is therein taken of y^e vote of this houle, that for y^e future in Committees some of ye Hon^{ble} Councel may be assigned, by y^e Hon^{ble} Gouvern^r upon y^e request of this houle, to assit in y^e debating and preparing of matters, for confideration of y^e Gen^l Ass^{ly} and y^e houle doe alsoe unanimously agree, and voute, y^t it is their auntient and undoubted right and priuiledge, to haue their Clerk sworne Clerk of y^e Asssembly and that they cannot, neither in honour nor iustice recede from y^e same, and therefore doe again, most humbly pray y^r Hon^r that he may be soe allowed and sworne, to y^e end that noe more time may be spent nor y^e Asssembly retarded in their proceedings in their weighty affaires.

And this houle doe further humbly offer to y^r Hon^{rs} confideration that y^e Burgeffes, according to y^e writt for election, were met att *James Citty*, and did continue from *fryday* y^e tenth day untill *tuesday* y^e fourteenth day of this instant, before they were by y^r Hon^r called together to receiue y^r Commands.

Tho: Ballard Speaker

Ordered that y^e Clerk present y^e following meffage to M^r Speaker.

M^r Speaker and Gentlemen of y^e house of Burgeffes.

In y^r paper, euen now brought me, by some of y^r members, you say, y^r houle met on y^e day by writ appointed, but doe not take notice, that halfe y^r houle was not in Town y^e eleuenth instant, nor a full houle till *monday*, in y^e afternoon, on *tuesday*, w^{ch} was as soon, as y^r houle was full I Comanded y^r Attendance on me, and then gaue you in charge, what was most absolutely necessary, to be presently taken under consideration, y^e w^{ch} by y^r proceedings, I haue iust cause to belieue, you only intended y^e hearing of, or else would not passe soe much time, without performing y^e least point of what conuened for, that all y^r time hath not been well managed, yesterdayes proceedings did sufficiently euidence, for I desired M^r *Speaker* with some of y^r members, to attend me and in expectation thereof waited some houres, and att last had return that M^r *Speaker* would come y^e next morning, w^{ch} I took as if it had been said, M^r *Speaker* either would not, or could not come, y^e w^{ch} I cannot but repent and take it, as it's y^e greatest flight, any of his most sacred Maj^{ties} Gouvern^rs of this Colony euer receiued from y^e houle of Burgeffes; Gentlemen I am constrained to make these particular recitals to acquit myselfe

Hen: Chicheley

November 18th 1682

The Clerke returned

Ordered that y^e Clerk carry y^e following meffage.

By the L^t Gouvernour and Councel

The L^t Gouvern^r and Councel hauing under their most serious confideration y^e flow motion, or rather noe progresse of affaires, for w^{ch} this Asssembly was conuened, and finding y^e whole Current of businesse, to be stop'd by the houle of Burgeffes refusing to haue their Clerk sworn Clerk of y^e houle, but insisting to haue y^e said Clerk sworn Clerk of y^e Asssembly, a taken up title not agreeable to y^e great President of y^e great and Hon^{ble} body, y^e houle of Commons of *England*, whose Clerk only beares y^e title of Clerk of y^e houle of Commons and to all matters, to w^{ch} y^e said Clerk is to signe, giues noe other title, then *Clericus Dom: Com:* in w^{ch} y^e L^t Gouvern^r and Councel to manifest how sensibly they are of and heartily affected with y^e growing charge of this Asssembly, w^{ch} will prove insupportable, should time in debates of this nature thus be spent, y^e w^{ch} to ease and lighten, out of y^e earnest desire, they haue, that matters of this Asssembly may proceed, I'ts admitted y^e Clerk of y^e houle of Burgeffes be sworne Clerk of this present sessions of Asssembly, but with this reseruatioun and protestation, that this admittance be not taken or allowed, to be any president for future Asssemblies or Sessons of Asssemblies, whereby to pretend to, or entitle y^e Clerk of y^e houle of Burgeffes by any other title or title, then Clerk of y^e houle of Burgeffes.

Edward Chilton Cl of Gen^l Ass^{ly}

November 18th 1682

The

The Clerk returns

A meffage from y^e houle of Burgeffes by L^t Coll *Ifaac Allerton* and other members hereafter named

The meffage Followes

Post meridiem Nouember 18th 1682

Resolved by the houle of Burgeffes, that fome members be appointed by this houle to waite upon y^e Gouvern^r and pray his Hon^r in y^e behalfe of this houle, that ye Clerk may be fworne without y^e limitations and proteftations in y^e laft paper receiued from y^e Hon^{ble} Gouvern^r and Councel by M^r *Edward Chilton* Clerk of y^e Councel, and that y^e Gouvern^rs Honour will be pleafed, to giue an anfuer to this houle, of y^e other part of y^e humble addrefse, relating to y^e Councels joining, with y^e Committees of this houle, in preparing matters for y^e confideration of y^e Gen^{ll} Aff^{bly} upon w^{ch} this houle will be in a condition uigoroufly to proceed upon y^e weighty affaires that lye before them Coll *Ifaac Allerton*, Coll *William Bird*, Coll *William Brown*, M^r *Abraham Weekes* are appointed and defired by this houle, to waite upon y^e Hon^{ble} Gouvern^r with this Refolue and to pray his Hon^rs conceffion to y^e fame, in y^e name of this houle

Tho: Ballard Speaker

The Gentlemen return

Ordered that the Clerk attend upon M^r *Speaker* and defire him to Command y^e laft members to attend y^e Gouvern^r

The Clerk goes and deliuers his meffage

Coll *Allerton* and y^e other Gentlemen waite upon y^e L^t Gouvern^r and acquaint him, that y^e paper they brought comprehended their whole Commiffion, and therefore could make noe farther anfwer.

The Gentlemen return

M^r *Miles Carey* and M^r *Thomas Hunt* wait upon y^e L^t Gouvern^r and acquaint him their houle are preparing a meffage, w^{ch} fhall be forthwith fent.

The Gentlemen return

Coll *Allerton*, Coll *Bird* &c wait upon y^e L^t Gouvern^r and p^{re}sent him with y^e following meffage

Post meridiem 9^{bris} 18^o 1682,

L^t Coll *Ifaac Allerton*, Coll *W^m Bird*, Coll *W^m Brown* and M^r *Abraham Weekes* are again defired and appointed to waite upon y^e Hon^{ble} Gouvern^r and Councel, with a copy of y^e Clerks Oath, as is now framed by this houle, and to pray their Hon^rs that they will please, y^e Clerk may be fworne, according to that forme, without any limitation, and thereupon this houle will order, y^t y^e proteftation formerly entered in their Journal ag^t y^e title of Clerk of y^e Gen^{ll} Affembly, fhall be taken out and obliterated, and to pray their Hon^rs y^e like may be done by their Hon^rs proteftation lately fent to this Houfe

Tho: Ballard Speaker

The L^t Gouvern^r acquaints y^e Gentlemen, that he formerly had and that he is willing again, to affigne Councell to fwear their Clerk Clerk of y^e Affembly, for this prefent feffions, but as to y^e obliterating y^e proteftation entred in y^e Journal, acquainted them, that he could not make a pofitiue anfwer thereto, being concluded in full Councel, and fome of y^e Gentlemen of y^e Councel out of Towne.

The Gent return

about halfe an hour after

Coll *John Stone*, and M^r *Malachy Thrufton* waite upon y^e L^t Gouvern^r and acquaint him, their houle is uery thin, many of their members (being *Saturday* night) gone out of Town, and therefore defired, that his Honour would not expect their refolution, till *monday* morning.

The L^t Gouvern^r and Councel adjourne till *Monday* morning

Die

Die Lunæ 20th November 1682,

THE Clerk carries y^e following meffage to y^e houle of Burgeffes

Whereas y^e houle of Burgeffes haue requested, that I would affigne Councel, to fwear fuch of their members as are now in their houle, not yet fworne.

I doe therefore hereby nominate, order and appoint Coll *Joseph Bridger* and Coll *Matthew Kemp*, two of his Maj^{ties} Councel, to adminifter y^e Oathes of Allegiance and Supremacy, as likewife y^e Oath of a Burgefse, to euery elected member of this Affembly, not yet fworne, as likewife that they adminifter y^e Oath, to L^t Coll *Thomas Milner*, of Clerk of y^e Affembly, for this present feffions of Affembly.

Hen: Chicheley

Coll *W^m Kendal* with others from y^e houle of Burgeffes present y^e following meffage

1682 Monday November 20th Post meridiem

Whereas this houle haue feueral times, by fome of y^e members of this houle, made their humble addrefs and request to y^e Hon^{ble} Gouvern^r and Councel, that they would please to conceed, that fome of y^e Hon^{ble} Councel should by his Hon^{rs} appointment, on y^e request of this houle, be joined with y^e Committees, of this houle, in preparing matters, for y^e confideration of y^e General Affembly, according to y^e auntient laudable and neceffary Cufdomes, ufed in former Affemblies of this Country; And *whereas* this houle did on *Saturday* laft, by Coll *Allerton* and fome other members of this houle fend to their Hon^{rs} a copy of y^e oath conceiued and framed by this houle to be adminiftered to y^e Clerk of y^e Affembly and did alfoe by thofe members pray their Hon^{rs} that y^e Clerk might be fworne, according to that forme, and did declare that they would thereupon take out and obliterate from their Journal their exception and proteftation ag^t y^e title of Clerk of y^e General Affembly and to pray their Hon^{rs} y^e like might be done by their proteftation lately fent to this houle, and *whereas* Coll *Allerton* and y^e reft of thofe members fent from this houle to their Hon^{rs} upon their return to this houle did report, that y^e Hon^{ble} Gouvern^r was pleased to anfwer, that his Hon^r and y^e Councel were willing the Clerk should be fworne Clerk to this present feffions of Affembly, but as to y^e proteftations and limitations they would reffer to this day by reafon feueral of y^e Hon^{ble} Councel were gone out of Towne

This Houfe doe now humbly pray their Hon^{rs} that they will be pleased to giue this houle a full anfwer to their humble request concerning y^e Councellours joining with y^e Committees of this houle and that y^e Clerk may be fworne according to that oath without any limitations, referuations or proteftations, that foe they may, (as they earneftly defire) frame themfelues to y^e difpatch of y^e weighty affaires of y^e Country

Tho: Ballard Speaker

Ordered that y^e Clerk carry y^e following meffage to y^e houle of Burgeffes, being an anfwer to theirs.

By The L^t Gouvern^r and Councell

Whereas y^e houle of Burgeffes by Coll *W^m Kendall*, with many worthy members of that houle euen now prefented a writing, from that houle, y^e confideration of w^{ch} is fuch, y^t y^e late feafon of this euening admits not time to make full anfwer unto; Its therefore *Refolued*, that anfwer be giuen too morrow morning thereunto, w^{ch} would not haue been till then deferred, had any return from y^e houle of Burgeffes been made in any part of this day, whereby to haue had time proportionable to haue made refponfe

Edw^d Chilton Cl Gen^{ll} Aff^{ly}

20th Nouember att feuen of y^e Clock att night.

Die

Die Martis 20^o [21] Nouembris 1682

THE following meffage brought from y^e houle of Burgeffes by L^t Coll *James Powell*, Maj^r *Arthur Allen*, Coll *Lemuel Mafon*, and Coll *Thomas Brereton*
Tuesday Nouember 21th in y^e forenoon

May It Please y^r Hon^{rs}

This houle hauing receiued from y^r Hon^{rs} a meffage, dated laft night att feuen of y^e Clock, that you would giue an anfwer this morning to y^e addrefse of this houle, fent to y^r Hon^{rs} by Coll *Kendall* & other members, w^{ch} you are pleased to fay fhould not haue been deferred, had any return from y^e houle of Burgeffes in any part of that day been made, whereby to haue time proportionable to haue made refponfe.

The houle doe with all refpect and reuerence due to y^r Hon^{rs} humbly defire to acquaint you, that as a continued demonftration of their earneft defire, and due Attendance, on y^e great and emergent affaires of y^e Country, This houle did on *Saturday* laft humbly pray y^r Hon^{rs} by fome of their members, that you would please, to giue an anfwer to their addrefse, and y^r Hon^{rs} were pleased to defer it till *monday*; In expectation and hopes thereof this houle did attend yefterday, and put themfelues on y^e difpatch of other neceffary matters concerning return's of writts and other things that lay before them, and did about fiue of y^e Clock, in y^e afternoon yefterday fend to y^r Hon^{rs} by Coll *Kendall* and other members, to pray y^r Hon^{rs} for a full anfwer to their request, w^{ch} was y^e firft thing this houle took into confideration, and applied themfelues to, att their meeting in their houle, in y^e afternoon, & y^e reft of y^e time yefterday was fpent in expectation of y^r Hon^{rs} fauourable and beninge anfwer to their juft and humble request, wherefore this houle doe humbly pray, that y^r Hon^{rs} will please to conceiue a right of this houle in their proceedings, who affiduoufly joine, according to y^e obligation, they take themfelues to be under, both to God and y^e people they represent, to make y^e beft ufe of their time, without refpect to early or late, and to improve their utmoft endeauours, to accomplifh y^e end of this meeting, and to manifefte our duty to our moft Gracious King, our due refpects and obedience to y^r Hon^{rs} and to difcharge y^e truft reposed in us

Tho: Ballard Speaker

The Gent return

M^r *W^m Prefly* and M^r *Tho: Hunt* come from y^e houle of Burgeffes and defire y^e L^t Gouvern^r to appoint Councel to fwear their Clerk

The L^t Gouvern^r acquaints y^e Gent he would foon return an anfwer.

Ordered y^t y^e Clerk carry y^e following meffage to y^e houle of Burgeffes.

By The L^t Gouvern^r & Councel.

Whereas y^e L^t Gouvern^r and Councel conceded, that L^t Coll *Thomas Milner*, late elected Clerk, by y^e houle of Burgeffes fhould be fworne Clerk of this prefent feffion of Affembly, but with y^e referuation and proteftation, that that admittance fhould not be taken or allowed to be any Prefident for future Affemblies, whereby to pretend to or entitle y^e Clerk of y^e Houfe of Burgeffes, by any other ftile or title, then Clerk of y^e houle of Burgeffes, in w^{ch} y^e L^t Gouvern^r and Councel doe declare, y^e intent and meaning of y^t referuation and proteftation was not defigned, or intended, to bar or exclude y^e houle of Burgeffes, in future Affemblies, or feffions of Affembly's, to make claime unto right, or pretention of Right, they may in future Affemblies make, to haue their Clerk fworne, or entituled, Clerk of y^e Affembly, but y^e fole intent and meaning of y^e L^t Gouvern^r And Councel, in y^t referuation and proteftation (in y^t conceffion) was to preferue their own Right, if y^e like debate fhould arife, in future Affemblies, and accordingly y^e Councel are ready to adminifter y^e Oath of Clerk of y^e Affembly, unto y^e aforementioned elected Clerk, according to y^e Oath by y^e houle of Burgeffes prefented

Edw^d Chilton Cl Gen^l Aff^{ly}

Die Martis 21^o 9^{bris} 1682

The

The following message sent by y^e Clerk

M^r Speaker and Gentlemen of y^e house of Burgeses.

I haue assigned Councel, to swear L^t Coll *Tho: Milner* Clerk of y^e Affembly, *in terminis*, as by y^e Oath by y^e house presented; This conceffion may sufficiently assure of y^e earnest desires and endeauours I and y^e Councel haue, y^t y^e affaires of this Affembly may proceed, without heats, or endeauours of growing Interests, I therefore, Gentlemen, desire and require you, euenly, seriously and diligently, to goe forward, in what I gaue you in charge, y^t wee may assure y^e world, wee came here, with hearts and minds zealously bent, for y^e seruice of his Majesty and y^e good and welfare of this our Country.

Hen: Chicheley.

Die Martis 21^o 9^{bris} 1682

Coll *Joseph Bridger* and Coll *Matthew Kemp* goe to y^e house of Burgeses, and swear their Clerk according to y^e following oath.

The Oath

You shall swear, as Clerk of y^e Affembly of *Virginia*, to which office you are elected, justly and uprightly, to make true entries and journals of all votes and proceedings, of y^e sd Affembly, as from time to time, you shall receive orders and directions from them, you shall keep secret all proceedings of y^e sd Affembly, so far as shall by y^e said Affembly be found necessary, and shall, in all things, to y^e best skill and judgment, discharge and execute y^e said office and trust of Clerk of y^e Affembly

Soe help you God

Coll *Isaac Allerton* with other members of y^e house of Burgeses waite upon y^e L^t Gouvern^r and in behalfe of their whole house return his Hon^r thanks, for assigning Councel, to swear their Clerk & acquaint his Hon^r that their house would most uigorously proceed to y^e Execution of what they had in Charge from him.

The following message brought by Coll *Isaac Allerton*.

Tuesday y^e 21th Nouember 1682 post meridiem

A Committee appointed to consider of propositions and greiuances

Coll *Isaac Allerton* Chaireman

Coll *John Lear*

Coll *Tho: Brereton*

M^r *W^m Fitzhugh*

M^r *Hen: Jenkins*

Maj^r *Arthur Allen*

M^r *James Minge*

Coll *Arthur Smith*

M^r *Xpher Robinson*

M^r *W^m Sherwood*

M^r *Tho: Blayton* is appointed Clerk of this Committee

Tho: Milner Cl of y^e Affembly

9^{bris} 22^d

The Hon^{ble} Gouvern^r is requested to assigne some of y^e Hon^{ble} Councel, to assist this Committee

Tho: Milner Cl of y^e Affembly

Coll *W^m Kendal* brings y^e following

Tuesday Nouember 21th 1682 Post Meridiem

A Committee for Private Causes

Coll *W^m Kendall* Chaireman

Coll *John West*

Coll *Lemuel Mason*

Coll *John Stone*

Coll *W^m Brown*

Coll *Danⁱ Jenifer*

M^r *John Buckner*

Coll *James Powell*

9^{bris} 22^d

M^r *W^m Bolton* is appointed Clerk of this Committee

M^r *W^m Presly* is added to this Committee

Tho: Milner Cl of y^e Affembly

The Hon^{ble} Gouvern^r is requested to Assigne some of y^e Hon^{ble} Councel, to assist this Committee

Tho: Milner Cl of y^e Affembly

Coll

Coll *W^m Bird* brings y^e following paper.

Tuesday Nouember 21st 1682 Post Meridiem.

A Committee appointed for y^e examination of Publick claimes.

Coll *W^m Bird* Chaireman

Cap^t *John Langhorne*

Mr *Malachy Thruston*

Mr *Charles Turner*

Cap^t *Antho Armstead*

Mr *Henery Awbry*

Cap^t *W^m Randolph* is appointed Clerk of this Committee

Tho: Milner Cl of y^e Affembly

The Hon^{ble} Gouern^r is requested to Affigne Council to affist in this Committee

Tho: Milner Cl of y^e Affembly

Ordered That y^e Clerk carry y^e following meffage to y^e houle of Burgeffes.

Die Mercurii 9bris 22^o 1682

By his Majesties Deputy Gouern^r

WHEREAS y^e houle of Burgeffes haue requested, I would be pleased to appoint some Gent of the Council, to sit and affist, in Committees, appointed by y^e houle, w^{ch} request and motion, I haue fully and feriously aduised and debated with y^e Council, I'ts thereupon found not agreeable, to y^e forme and manner of proceedings, in y^e General Affembly, held by his Excellency y^e Lord *Culpeper*, and that by y^e sole act and option of y^e then houle of Burgeffes, as y^e most fit and expedient way, for y^e houle to proceed in, as y^e nearest to a Parliamentary way, & forasmuch as his Excellency, when he returned for *England*, gaue his Maj^{ty}, not only the then state of y^e Country, but likewise y^e manner & forme of all Courts proceedings, of w^{ch} y^e Gen^l Affembly is y^e highest, Its *therefore* neither fit, respectfull nor conuenient, to make any alteration, in y^e manner and forme, of y^e Generall Affsemblies proceedings, nor to recede from any part of y^e then present state, untill y^e arriual of his Excellency y^e Lord *Culpeper*, who is daily expected, I therefore doe remind you, of what Att our first meeting I gaue you in charge and desire & require you, not to entertaine any businesse, but solely to apply y^r selues thereunto, and this compliance I most earnestly hope, expect and desire from you.

Hen: Chicheley

The following meffage brought by Coll *John Lear* and other members

To the R^t Hon^{ble} S^r Henery Chicheley Kn^t his Maj^{ties} L^t Gouern^r and y^e Hon^{ble} Council of State.

The humble addresse of y^e house of Burgeffes

May It Please y^r Hon^{rs}

In y^e Hon^{ble} Gouern^rs answer this day receiued to y^e humble request of this houle, y^t he would be pleased to appoint some Gent of y^e Council, to sit and affist, in Committees appointed by this houle, his Hon^r is pleased to say, I'ts not found agreeable, with y^e forme and manner of proceedings in y^e General Affembly held by his Excellency y^e Lord *Culpeper*, and y^t by y^e sole Act and option of y^e then houle of Burgeffes;

This houle of Burgeffes doe humbly conceiue, y^t Affsemblies are not tied up, to all formes, especially mistaken ones, therefore, wee hope, y^t y^t late Prefident (if foe) because wee want y^e Journal of y^t Affembly cannot prejudice an humble request, grounded upon an auntient usage, hoping that such our request will not be taken, as unfit or disrespectiue carriage to his Excellency, whose speedy arriual is daily expected and hoped for, and to whom wee Shall alwayes pay all dutifull respects and seruice, and y^t y^e mistaken uote of one Affembly, and that seemingly pass't, in compliancy with & obedience to y^e direction and desire of his Excellency, y^t in y^t session noe priuate cause should be medled with, cannot totally ouerthrow y^e accuftomed practice of all preceding Affsemblies

Asssemblies of hauing, upon humble request of this house, Council joined with their Committees, especially that of Priuate Causes, and if his Hon^r please, in y^e of greiuances and propofitions and the Committee of Claimes

Wee waite for y^e arriual of his sacred Majesties Royal Commands and Instructions, to w^{ch} as wee euer haue, wee will euer giue ready Submiffion, being well affured, that they will confirm those iust ufages and priuiledges, w^{ch} his Loyal (tho poor) subjects of this his Majesties Dominion haue euer enjoyed, whereof that of appointing Council, is a very great one.

The great trouble this house lay under, for feuerall dayes was happily remoued, by his Hon^r y^e Gouvern^r and Councils Conceffion to y^e fwearing of their Clerk, and wee hoped that thereupon all obftacles would be remoued, that foe as an effential part of this houses bufineffe (y^e representatiues of y^e whole Country) wee might proceed, to enquire into, and endeauour y^e redrefse of their iust greiuances in y^e first place, as y^e writt enjoines.

And It is a General Complaint, that feuerall Priuate Causes haue depended feuerall yeares unheard and undetermined, to their great charge and trouble, and therefore wee doe humbly pray, that for difpatch of these concerning affaires, y^r Hon^r would please to Affigne Council (y^e want of w^{ch} muft unauoidably retard our proceedings) to affist y^e Committees, and att y^e fame time y^e Committee for claimes will uigorously endeauour, to fettle that affaire, and wee hope by their proceedings together to giue a General fatisfaction to y^e Country & establish a full and well fetled peace, w^{ch} every good, Loyal, & uninterested person prays for

Tho: Milner Cl of y^e Affembly

Wednesday 22^d 9^{br} 1682 Post meridiem.

The Clerk carries y^e following meffage to y^e house of Burgefles

November 22^d 1682

By The L^t Gouvern^r and Councell

Mr Speaker and Gentlemen of y^e house of Burgefles

The Addresse euen now receiued, from y^e house of Burgefles, desiring some members of y^e Council, to be appointed, to sit & affist in Committees, It was yesterday by a written meffage from y^e R^t Hon^{ble} y^e L^t Gouvern^r with y^e aduice of y^e Council, to all parts Answered, to w^{ch} haue now only to add y^e Affurance that they neither haue desire, will nor inclination to inuade y^e Rights of y^e house of Burgefles, nor to encroach on y^e minuteft part thereof and as a testimony of y^e reallity and y^e fincerity thereof, I'ts desired y^e present debate of Councell to affist in Committees appointed, by y^e house of Burgefles, be referred to y^e confideration of y^e next fessions of Affembly, with this affurance y^t y^e L^t Gouvern^r and Councell will willingly and freely admit, receiue, hear and full answer make in all points to y^e Arguments y^e house of Burgefles shall then find fitt & necessary to offer thereon, upon w^{ch} Affurance giuen, y^e L^t Gouvern^r and Council cannot doubt, but y^e house of Burgefles will (as is earnestly desired) let themselves feriously & uigorously to y^e performance of y^e difcharge of those chargeable affaires, att y^e opening of this Affembly, was giuen in charge, without further infisting in this manner.

Edward Chilton Cl Gen^{ll} Aff^{ly}

[There is no heading here, but it is presumed the proceedings of the 23rd begin at this point.]

COLL West with other Gent from y^e house of Burgefles present y^e following meffage

To the R^t Hon^{ble} S^r Hen: Chicheley Kn^t his Maj^{ties} L^t Gouvern^r and y^e Hon^{ble} Councel of State.

Wee his Maj^{ties} Loyal Subjects, y^e Burgefles in this p^{sent} Gen^{ll} Affembly assembled, since y^e first of our meeting, haue desired nothing more, then y^t wee might proceed on y^e performance of those Commands laid on us by y^r Hon^r and difcharging y^e trust reposed

reposed in us, by y^e Country, and to y^t end, amongst other matters, w^{ch} are happily adjusted and y^t conduce to our more orderly and regular proceedings, haue more, then once, become humble suitors, to y^r Hon^{rs} that you would be pleased to assigne, some of y^e Hon^{ble} Councel, to assist att our Committees, w^{ch} our humble petition y^r Hon^{rs} haue not yet been pleased to grant.

This house hauing further feriously considered y^e great necessity and Generall expectation of good and wholefome Lawes, which are Requiste to be made this session for y^e propagation & encouragement of usefull manufactures and for y^e aduancement (if possible) of y^e ualue of Tobacco and discharging Publick Debts, doe therefore in all humility again importune and implore y^e Hon^{ble} Gouern^r not to deny them y^e assistance of some of y^e Hon^{ble} Councel att our Committees, as hath been accustomed, that thereby wee may be y^e better capacitated, to make a speedy and effectual return, both to y^r Hon^{rs} Commands and our Countries expectation, in w^{ch} if wee should be, by any meanes, obstructed, wee much doubt it may be of euil and dangerous consequence, w^{ch} God of his mercy diuert

Tho: Milner Cl of y^e Assembly

Thursday 23^d 9^{br} 1682 Post meridiem

The Gent return

Coll Allerton presents y^e following message

Post Meridiem. Thursday November 23^d 1682

May it please y^r Hon^{rs}

The house of Burgeses hath often desired, of y^e Hon^{ble} Gouern^r to assigne Councell, to assist att Committees, and their applications seem hitherto obstructed, thro an apprehension, y^t by y^e Act and option of y^e house of Burgeses in 1680, noe Councel did assist, in their Committees, but tho this house is unhappy, thro y^e want of y^e Journals and other proceedings of that Assembly, they doe, (by y^e diligence of persons appointed, to inspect those papers that were returned and relate to this house) find that his Excellency was pleased, then to appoint Councel, to assist in one of y^e then Committees, who did assist accordingly, w^{ch} being considered, this house doth hope, they haue noe need to doubt y^r Hon^{rs} concessions, to their humble requests, in their former addressees.

Tho: Milner Cl of y^e Assembly

Die Veneris 24^o 9^{bris} 1682

By The L^t Gouern^r and Councel

THE desire of y^e house of Burgeses, requesting Council, to be assigned, to sit and assist, in Committees, hath most feriously, deliberately and fully been considered and debated, with all eueneffe, equality and resolution of preferuation of y^e Rights and Priuiledges of y^e house of Burgeses, as by y^e assured testimony of Yesterdaies response hath in full and plain words been expressed, from which well grounded resolution, y^e L^t Gouern^r and Councell out of Duty to our most Gracious Soueraigne, respect to his Excellency and honour and justice to themselves cannot depart, for if should Concede to any alteration, of y^e forme and manner of Aff^{ly} proceedings, before receiue y^e signification of his Maj^{ties} will and pleasure, it may justly be taken for an anticipation thereof

Gent, for y^e instance of a paper, signed by M^r Hartwell, I'ts noe President to y^e nature of y^e present debate, y^t being only to draw into fit and suitable words an addresse, y^e whole matter and fence being before by y^e Gouern^r Councel and Burgeses unanimously agreed on; This considered, It cannot be doubted, but you'l resolve cheerefully, rigorously and assiduously, to performe y^e matter giuen in charge, y^e w^{ch} hath with all possible calmenesse, and desire of reconciling words, been often put unto you, tho ye pressing nature of y^e affaire, being y^e consideration of y^e greiuous burthen, our long continuance

continuance muſt unauoidably draw on us, doth tell you, noe longer time ought to be loſt, and that its ſoe reſolued this returne Affures you, In w^{ch} I'ts moſt ſincerely wiſhed a happy correſpondency, that this our meeting may proue happy and ſuccesfull, to w^{ch} let all concerned ſay, Amen

Edward Chilton Cl Gen^{ll} Aff^{bl}

The Clerk carries y^e aboue meſſage to y^e houſe of Burgeſſes.

Poſt Meridiem

MR *James Biſſe* and M^r *Baldwin Shepherd* from y^e houſe of Burgeſſes, acquaint y^e L^t *Gouern^r* that their houſe is preparing a meſſage, w^{ch} ſhall be ſent within one q^rter of an hour.

The Gent return

Coll *John Lear* with other Gent preſent y^e following meſſage from y^e houſe of Burgeſſes

Fryday Nouember 24th 1682.

May It Pleaſe Y^r Hon^{rs}

The houſe of Burgeſſes hauing receiued y^r Hon^{rs} anſwer this day, to their many humble Supplications and addreſſes, concerning ſome of y^e Hon^{ble} Councellours being joined, with y^e Committees of this houſe, Agreed It ſhould be put to y^e queſtion, whether y^e Committees now appointed, by this houſe ſhall proceed without Councellours assigned, to y^e examination and preparation of ſuch matters and things, as now lye before y^e Affembly, and y^e ſd queſtion being Reſolued in y^e negatiue, The houſe doth humbly offer, to y^r Hon^{rs} that they cannot with honour or Juſtice diſcharge y^e truſt reſoſed in them, by y^e Counties, they repreſent, without ſuch addition of Council, to ye Committees, by this houſe appointed, and therefore doe again moſt humbly ſupplique and implore Y^r Hon^{rs} conceſſions, to their earneſt requeſts, y^t Council may be assigned to them, according to y^e auntient cuſtome, in y^e proceedings of former Affembles, for y^e Speedy and more effectual diſpatch of y^e matters and things, now lying before them, w^{ch} they doe with real and moſt Loyal hearts and minds zealouſly deſire to conſummate and finiſh, according to y^r Hon^{rs} deſires & their duty and doe again affure y^r Hon^{rs} that wee ſhall att all times humbly ſubmit to, and obey all his Majesties Royall Commands, as becomes y^e duty of faithfull and loyall ſubjects, being well affured, that his Majeſty will neuer deny nor abridge us of our auntient Priuiledges, nor of any fauours, his Majeſty indulged us, ſoe wee ſhall not be wanting, to giue that hon^r and dutifull reſpect, to his Excellency y^e Lord *Culpeper*, and y^r Hon^{rs} att all times, as doth become us

Tho: Milner Cl of y^e Affembly

Die Saturni 25^o 9^{bris} 1682

ORDERED that y^e Clerk goe and acquaint M^r *Speaker*, that there is a meſſage preparing from y^e L^t *Gouern^r* w^{ch} ſhall be ſuddenly ſent.

The Clerk carries y^e following meſſage

Die Saturni 25^o 9^{bris} 1682

By The L^t Gouern^r and Council

M^r Speaker and Gentlemen of y^e houſe of Burgeſſes

Whereas many written meſſages, haue paſſed from y^e L^t *Gouern^r* and Council, to y^e houſe of Burgeſſes and returns from y^e houſe of Burgeſſes, to y^r L^t *Gouern^r* upon y^e debate of Council, to joine in Committees, with y^e houſe of Burgeſſes, I'ts deſired and propoſed, that a conference be held, by ſome members of y^e Council w^{ch} y^e *Gouern^r* ſhall appoint, with ſoe many members of y^e houſe of Burgeſſes, as they ſhall find fitt to appoint for y^e ſame, w^{ch} conference, is deſired, may this afternoon be held

Edward Chilton Cl Gen^{ll} Aff^{bl}

Capt

Capt *Antho: Armstead* and Mr *Hen: Jenkins* from y^e house of Burgeffes wait upon y^e L^t *Gouvern^r* and acquaint him y^e laft meffage is willingly accepted, and desire y^e names of y^e Councel he designs to appoint to hold y^e conference, and y^e time and place.

By The L^t Gouvern^r

I doe hereby nominate and appoint Mr Secretary *Spencer*, Maj^r Gen^l *Smith*, Coll *Joseph Bridger*, Coll. *Richard Lee*, and Coll *Matt: Kemp* five of his Majesties Councel of State, of this his Colony, to Hold a conference, with such members of y^e house of Burgeffes, as they fhall appoint, if poffible to reconcile y^e debate, relating to y^e Councells affitting y^e Burgeffes, in Committees, & y^t y^e fame be held accordingly, att five of y^e Clock, this afternoon, in Coll. *Joseph Bridgers* Chamber.

Hen: Chicheley

November 25th 1682

Die Lunæ 27^o 9^{bris} 1682.

COL *John Stone* and Mr *Tho: Barber* come into y^e Councel, and deliuer y^e following meffage

To y^e R^t Hon^{ble} his Maj^{ties} L^t Gouvern^r and to y^e Hon^{ble} Councell of State.

The members of this house appointed, to mannage y^e conference, according to their duty, reported to this house, y^e substance of y^t debate and haue by their relation, giuen y^e house some hopes of y^r Hon^{rs} fauourable condescention to their iust demands, w^{ch} wee, now hope, and most earnestly desire, y^r Hon^{rs} will fully agree to, by y^r immediate assignment of of some of y^e Hon^{ble} Councel, to be joined to our Committees, who only waite that assignment, upon w^{ch} concurrence, wee fhall not only thankfully acknowledge it, but doe assure y^r Hon^{rs} that it is our hearty desires and fhall be our utmost endeaours, that nothing may or fhall lye, in y^e way further to obstruct our speedy and diligent proceedings, in y^e weighty affaires of this meeting, assuring our selues, y^t y^r Hon^{rs} according to y^e R^t Hon^{ble} y^e Gouvern^rs first grant to our speaker in behalfe of us all, doe not intend or will euer endeaour, to enfringe or take away our iust and auntient Rights and Priuiledges

Tho: Milner Cl of the Assembly

monday november 27th 1682

The Clerk carries y^e following meffage

Die Lunæ 27^o 9^{bris}

Mr Speaker and Gentlemen of y^e house of Burgeffes.

The Gent of y^e Councel appointed to hold a conference with some Gent of y^e house of Burgeffes, on *Saturday* laft, reported to y^e L^t *Gouvern^r* and Councel, y^t upon y^e result of y^e conference, y^e Gent of y^e house of Burgeffes did offer and undertake, y^t y^e house of Burgeffes would this morning, particularly represent, what matters lay before them, y^t that house desired this present session to proceed on, w^{ch} accordingly by y^e L^t *Gouvern^r* and Councel is expected and desired, y^t if poffibly, it may be known, where demands will end, fince in y^e paper, euen now, receiued from you, you take noe notice of that Issue of y^t conference, but say, those members of y^e house, w^{ch} managed y^e conference, gaue hopes of a condescention to y^r iust demands, w^{ch} if, in themselves, they were foe, would haue been, as foon granted, as asked, as by y^e contant and continual assurance this meeting has giuen you.

Edward Chilton Cl Gen^l Aff^{ly}

Maj^r *Arthur Allen* with others from y^e house of Burgeffes present y^e following meffage

To The R^t Hon^{ble} his Majesties L^t Gouvern^r and y^e Hon^{ble} Councel of State

May It please y^r Hon^{rs}

Wee doe with our great trouble confider, that this is y^e eighteenth day of our meeting together, in due obedience, to y^r Hon^{rs} writt and for discharge of y^t duty wee owe to his Majesty, to our feveral Counties and to y^e whole Country, whom Wee represent.

The charge is great, and in truth y^e expectation great, it muft be an unhappineffe, that in things by some thought minute, an obstruction should be, in y^e Assembly proceedings.

This

This house hath frequently declared their ready obedience to all Royall Commands, their dutifull respect to his Excellency, whose speedy arrual is heartily prayd for, & our due seruice to y^e Hon^r and y^e Hon^{ble} Council.

But may it please y^e Hon^{rs} This house hath unanimously agreed, that they doe not think it expedient, to proceed without y^e affittance of some of y^e Hon^{ble} Council with their Committees, w^{ch} would put them, upon a uigorous prosecution of y^e Countries great and weighty concernes, & Wee hope by our strenuous endeauours therein, to giue satisfaction to all Interests;

Therefore wee again humbly emprove y^e Hon^{rs} y^t some of y^e Hon^{ble} Councell may be assigned, to affitt y^e Committees already appointed, by this house, w^{ch} hath been y^e auntient usage and practice in all Affsemblies.

Tho: Milner Cl of y^e Affsembly

Monday 9^{ber} 27th 1682,

The L^t Gouvern^rs answer follows

Die Lunae 27^o 9^{bris} 1682

M^r Speaker and Gent of y^e house of Burgeffes

I haue often urged you, to proceed, on y^e dispatch of present urgent affaires, as are fit to be done, viz: y^e laying of y^e Leauy & to giue me y^e opinion, whether it be necessary to keep y^e Forts up or difmantle them, to w^{ch} you haue yet giuen me noe answer att all; y^e ftay here hath been long, and (as you say) y^e charge great, and had you proceeded, in y^e dispatch of what I haue Giuen you in charge, y^e part of y^e Countries bufiness had long ere this been finished.

You often insift for Council to affitt in y^e Committees, as if noe bufinesse could be done, without their fitting with you, when you uery well know feueral Affsemblies of y^e house of Burgeffes haue sate and prepared bufinesse, without them, and those things, soe prepared, haue been allowed of by y^e Gouvern^r and Council and pafs'd into Lawes, and haue been, as good to all intents and purposes, as any Lawes, made with Council affitting y^e Committees, particularly when his Ex^{cy} y^e Lord *Culpeper* was here in 1680; I doe therefore recommend again y^e points, I gaue you in charge, and if you think y^e grieuances, you haue brought from y^e Counties, are of such great concernment, that they cannot ftay, till his Ex^{cy} y^e Lord *Culpepers* arrual, who wee euery day expect, I am willing then, you should proceed on that alfoe, provided you meddle not with anything, that lies before his Maj^{ty} remembring you still, that they may as well be redrefs'd in y^e manner and way, y^e house proceeded, when his Ex^{cy} y^e Lord *Culpeper* was here, and myfelfe with y^e Council will most readily confider such bills, as you shall prepare for redresse of them.

As to that you urge for Council, to affitt you, in priuate causes, that bufinesse relating, but to few persons, may be uery well deferred, till his Excellency y^e Lord *Culpepers* arrual, who, as I said before, is euery day expected, & as that will be little prejudice to those persons concerned, soe wee shall gaine great aduantage, in y^e dispatch of those matters (under y^e confideration) of a higher nature and more publick; I doe therefore desire and require you, to giue me y^e positieue answer without loss of time.

Hen: Chicheley.

Die Martis 28^o 9^{bris} 1682

COLL W^m Kendall and other Gent bring y^e following message into y^e Court house and deliuer it to y^e L^t Gouvern^r
The message follows

Tuesday Nouember 28th 1682

To The R^t Hon^{ble} his Majesties L^t Gouvern^r of Virginia

May It Please y^e Hon^{rs}

The house of Burgeffes, after feuen, last night, receiued in a large message, from y^e Hon^{rs} containing fundry articles and particulers, w^{ch} being read and maturely and deliberately considered, doe in all humility resolue to return this answer

1st That y^e laying of y^e Leauy, hath in all former Affemblies been (as its moſt neceſſary it ſhould) y^e laſt Act or cloſe of their Proceedings, and this houſe hauing euer ſince their meeting, upon juſt and mature reaſon, uſed their utmoſt endeauours for y^e continuance and preferuation of their auncient Rights, uſages and Priuiledges, it cannot be rationally expected, that they ſhould now diuert, from what they haue ſoe long and juſtly inſiſted on.

2^d That it is y^e opinion of this houſe, y^t it is altogether unneceſſary, to keep up y^e Forts any longer, ſince they are uery well affured, y^t y^e charge is uaiſt, y^e General aduantage inconfiderable and y^e end, for w^{ch} they were conſtituted, y^e good of y^e Publick, wholly peruerted, and drawen only to ſerue particular Interests.

3^d That our ſtay has been long and y^e charge great were our own words, in our laſt meſſage, but with this addition, y^t y^e expectation was alſoe great, for w^{ch} wee take ourſelues to be accountable and whereas y^r Hon^r hints, y^t had wee proceeded, to y^e diſpatch of what was giuen us in charge, y^e Countries buſineſſe had long e^re this been finiſhed, y^r Hon^r may uery well remember, and our many reiterated Addreſſes will manifeſt, y^e earneſt deſires and endeauours of this houſe, uigourouſly to proſecute y^e great and weighty affaires, y^t now lye before them, all w^{ch} might, as well, haue been proceeded on together, with as little expence of time, as any particular thereof, This being y^e eight day ſince y^e appointment of our Committees, euer ſince w^{ch} appointment, wee haue daily ſuppllicated y^r Hon^r y^t Council might be aſſigned, to aſſiſt them, according to y^e auncient uſages and cuſtomes of preceding Affemblies, and more particularly, on *friday* y^e 24th inſtant this houſe did reſolue, that they ſhould not proceed without Council ſoe aſſigned and doe now again declare and reſolue, y^t they cannot, without a manifeſt uiolation of that truſt reſoſed in them and betraying their Rights, liberties and priuiledges recede, from that reſolue, and therefore wee doe againe implore y^r Hon^r to aſſigne ſome of y^e Hon^{ble} Council, to our Committees, according to y^e auncient uſage and cuſtome of Affemblies.

By order of y^e houſe of Burgeſſes

Tho: Milner Cl of th' Affembly

Die Martis 28^o 9^{bris} 1682

Ordered that y^e Clerk carry y^e following meſſage in anſwer to y^e houſe of Burgeſſes laſt addreſſe

Mr Speaker and Gent of the houſe of Burgeſſes.

This afternoon I receiued from you, a written meſſage returned me, as you ſay, to my large meſſage, y^e laſt night ſent you, y^e lines in y^rs are many, th^o not anſwering my expectation or deſire, I aſk'd from you a particular return to all thoſe matters of moment therein contained, to all w^{ch} unleſſe It be that of y^e Forts, you make one poſitiue anſwer, that you Cannot recede from y^r former Reſolues of Proceedings, without Gentlemen of y^e Council be appointed to aſſiſt in y^r Committees indeed y^r abſoluteneſſe might haue juſtly prouoked me, long ſince, to haue ended this our meeting, but that earneſt deſire I haue, that all matters might be accompliſhed, for w^{ch} conuened you, I haue with all poſſible moderation, receiued y^r return's, th^o their language ſpeakes you abſolute, but to aſſure you of y^e ſteddineſſe of my affection unto you, I doe once more deſire and require you, to apply y^rſelues to y^e performance of y^r duty to our Soueraigne Lord y^e King and ſeruice of y^r Country for w^{ch} I called you together, and whereas you inſiſt to haue Council aſſigned, to ſit and aſſiſt in y^r Committees (a way of proceeding y^e y^rſelues departed from) though now preſſe a return of y^e ſame, you haue thereunto receiued my many anſwers and reaſons, why this preſent ſeſſions it cannot be admitted, and that with my tender care and referuation of all pretences of right and priuiledges of y^r houſe, ſoe y^t y^e next ſeſſions of Affembly, you may reaſſume y^e debate of Council, to be aſſigned to ſit and aſſiſt Committees appointed by y^e houſe of Burgeſſes, ſoe that if y^r Committees now proceed, without Gentlemen of y^e Council, aſſiſting in y^e ſame, It ſhall be noe bar to y^r future claime of proceeding by Committees conjoined: And Gent as to that particular part of Priuate Cauſes, w^{ch} you moſtly inſiſt

infist on, you now receiue y^e word of him, whom his Majesty hath been graciously pleased to dignifye with y^e Supream authority, in this Colony in his Excellencies absence, y^t if betwixt this time, and y^e next s^essions of Affembly, his Majesty shall not please to giue particular directions, in y^e matter of Proceedings of Appeales in priuate caufes to y^e Affembly, then they shall be heard & determined by Council assisting in y^e Committees after y^e form and manner of priuate caufes, in Affsemblies held before y^e year 1680, and for y^r farther satisfaction y^e Council will willingly and readily join with me herein: As to y^e Forts, you say its y^r opinion they are unnecessary longer to be kept, but take noe notice, they were erected by a Law, and are not to be dissolued, but by y^e same manner.

Gent You say y^e laying y^e Leuy is y^e last matter or businesse of an Affembly, it is foe, and its alloe as certaine, y^e Claimes and demands, from whence y^e Leuy doth arise, ought to be timely taken under consideration, especially in this Affembly, being many and great, and will require a considerable time to ascertain them, y^t and all other matters of moment, I haue often intimated unto you, out of y^e ardent desire I haue that this our meeting may performe y^e end for w^{ch} called, y^e seruice of his Majesty and welfare of this our poor Country.

Hen: Chicheley

Some of y^e Members of y^e house of Burgeses present y^e following message to y^e L^t Gouvern^r

To The Right Hon^{ble} his Majesties L^t Gouvern^r and y^e Hon^{ble} Council of State

The house of Burgeses wanting feueral papers of greiuances, propositions, claimes and other papers belonging to y^e house, & Maj^r Robert Beverley, late Clerk of y^e Affembly being sent for in this house, to giue an Account thereof, hath informed this house, y^t he cannot satisfie y^e house therein, without some time allowed him, to y^t end and informing this house, that by order of y^e General Court, he is forthwith, in y^e custody of y^e under Sheriffe of York County, to depart out of Towne.

The house of Burgeses doe therefore pray y^r Hon^{rs} y^t Major Beuerley, in y^e custody of y^e under sherriffe of York County, may be permitted to stay in Towne, till he hath giuen this house an Account, concerning y^e said papers, w^{ch} y^e house of Burgeses will take care shall be done with all possible expedition & dispatch

Test

Tho: Milner Cl of th' Affembly

Thursday 9^{ber} 30th 1682

The Clerk carries y^e following message in answer to y^e last addresse

Die Jouis 30^e Nouembris 1682

By y^e L^t Gouvern^r and Council

Upon y^e request of y^e house of Burgeses, Major Rob^t Beuerley is hereby permitted to stay in *James Citty*, untill y^e morrow morning, to y^e end he may satisfie y^e house of Burgeses, ab^t such papers, as they shall require of him

Edward Chilton Cl Gen^l Affbly

The following message brought by Coll Lear and others from y^e house of Burgeses

Fryday 1st December 1682,

To y^e Right Hon^{ble} S^r Henery Chicheley Kn^t his Maj^{ties} L^t Gouvern^r of Virginia

May It Please y^r Hon^{rs}

It is our duty, first with humble thanks, to acknowledge y^r Hon^{rs} fauourable conceffions y^e 29th of 9^{ber} in answer to our last humble addresse y^e 28th of y^e same moneth and humbly begg pardon, y^t y^e weightinesse of y^e concerne haue made our return (tho this house lost noe time in ye consideration of it) thus late.

May It please y^r Hon^r It hath been fully debated and upon y^e Question put, Resolued by this house, that they cannot recede, from their former supplications of hauing Council, joined with our Committees, according to former usages and therefore this house doth again humbly implore y^r Hon^r that Council may be assigned, to assist ye Committees, by this house appointed, this present session of Affembly and as wee

are

are so strenuous, in supporting those usages, so wee will neuer defect from our Loyalty to his sacred Majesty, our duty to his Excellency y^e Lord *Culpeper* and all due respect and seruice to y^r Hon^r his Excellency is hourly expected and by him his Maj^{ties} Instructions, to w^{ch} wee haue professed and doe again declare, wee will shew all ready, humble and Loyal obedience, but till those arriue y^e house humbly implores Council may be assigned, for this present session, according to those usages, which will not only expedite y^e most weighty affaires of y^e Country (many of w^{ch} are already prepared) but wee hope, put an happy issue to all our proceedings.

By order of y^e house of Burgeffes

Tho: Milner Cl of th' Affembly

Saturday December 2^d 1682

From The house of Burgeffes

COLL *Lear*, Major *Allen*, M^r *Minge* and M^r *Hardridge* are desired by this house to wait upon y^e R^t Hon^{ble} y^e Gouern^r and Council to signifye to their Hon^{rs} y^t y^e vote of this house, on *Thursday* last coming in debate and it appearing that many of y^e members were not well informed, in y^e state of y^e question then put, It was agreed, by y^e whole house, that y^e question should be again put, and it was Resolued (*nemine Contradicente*) in y^e affirmatiue wherefore this house doth humbly pray their Hon^{rs} y^t y^e addresse yesterday sent to their Hon^{rs} may be returned to this house and y^t y^e same may not be entred on y^r Hon^{rs} Journal

Test

Tho: Milner Cl of th' Affembly

The answer followes w^{ch} was sent by y^e Clerk

By The L^t Gouern^r and Council

X^{ber} 2^d 1682,

Vpon y^e request of y^e house of Burgeffes, wee haue herewith remitted y^r Addresse of yesterdaies date, and with this assurance (to y^e intent it may evidently appear), how earnest wee haue been, that this our meeting might proue Successfull) that y^e same shall not be inserted in our Journall

Edward Chilton Cl Gen^{ll} Aff^{ly}

Some members of y^e house of Burgeffes bring y^e following message

December 2^d 1682

To The R^t Hon^{ble} his Maj^{ties} L^t Gouern^r and to y^e Hon^{ble} Council of State

The house of Burgeffes doe return to y^r Hon^{rs} humble & hearty thanks, for y^r Hon^{ble} conceptions to this house & request this morning sent to y^r Hon^{rs} by some of the members of this house, and whereas y^e Right Hon^{ble} y^e Gouern^r was pleased, in his most noble conception, to this house of y^e 28th day of *November*, to offer his word, y^t y^e Council (for this houses farther satisfaction) would willingly and readily, joine with his Hon^r in those conceptions; The house of Burgeffes doe now most humbly pray, y^t y^e Hon^{ble} Council will be pleased to signifye their concurrences therein, with his Hon^r y^e Gouern^r and this house shall then without any hesitation apply themselues cheerfully, gladly and thankfully, to the dispatch of those concerns that lye before them.

Tho: Milner Cl of th' Affembly

The answer followes, w^{ch} was carried by y^e Clerk

Die Saturni 2^o X^{bris} 1682,

By The L^t Gouern^r and Council

By y^e message, euen now, receiued, from y^r house, you expresse y^e thankfull fence, you rightly haue of y^e conception made on *Wednesday* to you, y^e which wee will not doubt, but you'l see use, y^t a perfect understanding may be between us, and y^e better to confirme you in y^e same y^e L^t Gouern^r and Councell doe now again assure y^e house of Burgeffes, y^t if betwixt this time and y^e next sessions of Affembly, his Majesty shall not please, to give particular direction in y^e matter of proceedings of Appeals, to y^e Affem-
bly

bly, in priuate caufes, that then they fhall be heard and determined by Gentlemen of y^e Councel conjoined with Committees of y^e houle of Burgefles, after y^e manner and forme of priuate caufes, in Affemblies held before y^e year 1680; Its defired y^e remembrance of much time loft, may foe quicken us, that noe remoras [?] may be offered att, but by a future fedulity y^e laps'd time may be redeemed and matters expedited for w^{ch} conuened.

Edward Chilton Cl Gen^{ll} Aff^{bly}

Major *Dale* and M^r *Thrufton* bring y^e following meffage

December 2^d 1682.

The houle being informed that Major *Beuerley* ftands obliged by bond to depart forthwith, for *middlefex* County doe humbly pray, y^t Major *Beuerley* may be permitted by their Hon^{rs} to ftay in *James Citty*, till y^e bufineffe concerning y^e books and papers, w^{ch} concerne this houle, may be perfected:

And Maj^r *Dale* and M^r *Thrufton* are appointed to waite upon y^e Hon^{ble} Gouvern^r and Councel with this requeft

Tho: Milner Cl of th' Affembly

The Clerk carries y^e following paper

Die Saturni 2^{do} X^{bris} 1682,

By The L^t Gouvern^r and Councel.

Vpon y^e defires of y^e houle of Burgefles that Maj^r *Robert Beuerley* may be permitted to remaine in *James Citty*, for perfecting fome books and papers, w^{ch} y^e houle of Burgefles haue an occafion to take an account of, and to be informed in, I'ts Admitted y^e faid Major *Robert Beuerley* doe remaine for a conuient time, to giue fatisfaction in y^e fame.

Edward Chilton Cl Gen^{ll} Aff^{bly}

Cap^t *Armstead* and Cap^t *Ball* present y^e following meffage

Saturday December 2^d 1682,

The houle of Burgefles, as they haue already giuen the Hon^{ble} Gouvern^r their humbly and hearty thanks for his moft Hon^{ble} conceffions and expreffions of affections to this houle, foe they doe now defire and appoint Cap^t *Aniho: Armstead* and Cap^t *W^m Ball* to waite upon y^e Hon^{ble} Councel to exprefse y^e gratitude of this houle to their Hon^{rs} for their concurrence with y^e Hon^{ble} Gouvern^r in his conceffions to this houle.

Teft

Tho: Milner Cl of th' Aff^{bly}

Ordered That y^e Clerk carry y^e following meffage to y^e houle of Burgefles

By His Majefties L^t Gouvern^r

M^r Speaker and Gent of y^e houle of Burgefles

I haue heard fomewhat of a petition, in y^e houle prefented, by Major *Robert Beverley*, highly reflecting, both on y^e honour and iuftice of myfelfe and y^e Councel, in w^{ch} will not doubt y^r willingneffe, in what lies in y^r parts, to doe us right, I therefore defire you'l fend me y^e petition, which when perufed and confidered, I will order its return unto you.

Hen: Chicheley

The petition of Maj^r *Beverley* brought by fome of y^e Burgefles.

The petition returned by ye Clerk

Die Mercurii 6^{to} X^{bris} 1682,

By his Majefties L^t Gouvern^r

M^r Speaker and Gent of y^e houle of Burgefles

AS, upon all occafions, fince our prefent meeting, I haue been open, free and communicatiue unto you, foe y^e fame freedom I fhall continue, and as an Infance thereof, you receiue this, to acquaint you, that yefterday I receiued by Cap^t *Morgan*, a letter from his Excellency y^e Lord *Culpeper*, writt in y^e *Downes* y^e 2^d of *October*, by w^{ch} his Lordfhip advizes me of his firme refolution, to faile y^e next morning, and hoped to be in as foon, as y^e fhip which brought his Lordfhips letter,

letter, w^{ch} principally confists of two parts, and those foe inseparable, that they may be taken for one, y^e one being y^e efficient cause of y^e other, y^e Adjournment of our present meeting, until some conuenient time in *March* next, in w^{ch} his Lordship fayer, for y^e better execution of his Majesties Instructions, for y^e seruice of his Majesty and this Country his Lordship desires y^e adjournment: to w^{ch} (as i'ts my duty) I shall alwaies be most ready, to yeild all due obedience, but in this our present juncture, I confider y^e progresse of affaires, towards y^e compleating this a session, as alsoe y^e weighty consideration of discharging our Publick charge contracted and y^e keeping up or difmantling our Forts, w^{ch} I earnestly desire you'l expedite, as alsoe such other bills, w^{ch} att present you haue under y^r consideration and that all affaires relating to this Country lying before his Majesty or that relate to his Excellency, I desire you will not intermeddle with nor spend time, in debating or considering thereof, but wholly refer them, untill y^e arriual of his Excellency, when all matters of that weight and concerne may be fitly tim'd, y^e already long time spent and the season of y^e year, with great earnestness preffes for dispatch, w^{ch} I doubt not our present concurrence and sedulity will in a short time accomplish to our Gen^l satisfaction.

Hen: Chicheley

The Clerk carries y^e aboute message

Mr W^m Prefly with others from y^e house of Burgeffes present y^e two following messages.

To The R^t Hon^{ble} his Maj^{ties} L^t Gouvern^r

The house of Burgeffes doe humbly signifye to y^r Hon^r that as they haue not entred, upon any of those matters, intimated to them, by y^r Hon^r to lye before his Majesty, foe they shall in their future Proceedings, auoid y^e same and use their utmost endeauours with great carefulnesse to expedite and finish those things, they haue now made some progresse in, w^{ch} they hope shall be foe disposed, as this house shall to their great joy and satisfaction find y^r Hon^{rs} and Councils cheerful concurrence with them and in all other matters, with patience attend his Excellencies Arriual, w^{ch} is with all joyfulness expected.

Tho: Milner Cl of th' Affembly

December 6th 1682

Wednesday X^{ber} 6th 1682.

Resolved and ordered that all priuate causes by appeale, now depending before y^e Affembly shall be and are referred to y^e next sessions of Affembly and y^e house of Burgeffes doe pray y^e concurrence of y^e R^t Hon^{ble} Gouvern^r and Council with this house therein.

Tho: Milner Cl of th' Aff^{bly}

Die Veneris 8^o X^{bris} 1682

By The L^t Gouvern^r and Council

M^r Speaker and Gent of y^e house of Burgeffes

THE L^t Gouvern^r and Council hauing read y^e Refolue of y^e house of Burgeffes dated y^e fixth instant, are equally content, that all priuate causes by appeal be referred to y^e next sessions of Affembly.

Edward Chilton Cl Gen^l Aff^{bly}

Coll W^m Kendall, Coll Tho: Brereton, and L^t Coll Arthur Smith present y^e following acts to y^e L^t Gouvern^r & Council for their assent viz

An Additional Act for y^e better preuenting y^e Insurrections by Negroes.

An Act declaring Indian women seruants tythable

An Act for disbanding, y^e present soldiers, in Garrison in y^e Forts att y^e heads of y^e feueral riuers, as alsoe for y^e raising of other forces in their stead.

An Act repealing a former Law making Indians and others free.

All

All assented too

Coll *W^m Kendall* and *M^r W^m Hardridge* present y^e following Acts for approbation
An Act directing how Commiffions of Dedimus Potestatem and other writs shall issue

Assented too

An Act declaring y^e Lawes made by y^e Assembly to be in force.

The act returned with y^e following answer

This Act relating to his maj^{ty}s most immediate authority, Its most agreeable, to be referred, to y^e confideration of y^e next Assembly, and then by an humble addresse to supplicate his Majesty in y^e fame.

An Act declaring y^e meaning of some words, in his Ma^{ties} charter, dated y^e tenth day of October 1676 and ascertaining feveral dues and fees of officers about Escheats of land

The act returned with y^e following answer.

His Excellency y^e Lord *Culpeper* being daily expected, fully instructed in his Majesties will and pleasure, in all affaires of this Colony, and this of Escheats being a royal Grant, Its therefore most fit, to be referred to y^e confideration of y^e next Assembly, when wee shall haue unerring grounds, from whence to draw Conclusions.

An Act prohibiting y^e exportation of any Iron, Wool, Woolfells, skins, hides or leather.

December 8th 1682

Assented too

M^r James Minge &c from y^e house of Burgeffes present y^e following message

Fryday December 8th 1682

The house of Burgeffes hauing heard, that his Maj^{ty} hath been pleased sometime since to signifye his royall Pleasure, into this his Country, that y^e putting in execution y^e Act of Assembly of *June* 1680, for Cohabitation be att present suspended, till his Majesties Pleasure be further known therein, doe humbly pray y^r Hon^{rs} that you will please, to tranfmit his Maj^{ties} order or Instructions, concerning y^e fame, into this house to y^e end y^e fame may be published, for y^e satisfaction of his Majesties subjects y^e Inhabitants of this Country

Tho: Milner Cl of th' Assembly

The Clerk carries y^e order of y^e King, in Councel, for y^e suspension of Townes and presents y^e fame to *M^r Speaker*

Die Saturni X^{bris} 9^o 1682,

COLL *John Stone* and others present y^e following message from y^e house of Burgeffes
May It Please Y^r Hon^{rs}

Vpon confideration of y^e petition of Capt: *Thomas Gardner* and an order of y^e Assembly, held att *Green Spring*, y^e 20th day of *February* 1676, by which y^e said *Thomas Gardner* was ordered, to be paid y^e summe of twenty five pounds *Sterl*, out of y^e estate of *Giles Bland*, w^{ch} he neither hath, nor could by any meanes obtaine, and y^e house of Burgeffes being uery sensible of y^e considerable seruice done to his Majesty and this Country, by y^e said *Gardner*, in y^e late unhappy distractions, doe recommend y^e merriits and sufferings of y^e said *Gardner* to y^r Hon^{rs} and doe therefore pray y^r Hon^{rs} to take it into y^r serious confideration and that he may be ordered and paid y^e said twenty five pounds *sterl*, out of y^e two shillings ¶ hhd, and such farther reparations or gratuity, as y^r Hon^{rs} shall in y^r Judgements think proportionable to his merriits and sufferings

Tho: Milner Cl of th' Assembly

The answer followes, carried by y^e Clerk

December 9th 1682

By his Majesties L^t Govern^r and Councell

M^r Speaker and Gent of y^e house of Burgeffes

The house of Burgeffes hauing declared their opinions, on y^e petition of Capt: *Thomas Gardner*, that his merriits, deserts and sufferings of him y^e said Capt *Thomas Gardner*,

Gardner, for his Majesty and this Country, in our late Rebellion, is most fit to be considered, and finding y^e twenty five pounds ordered to be paid out of M^r *Giles Blands* estate, w^{ch} by its infolucency is not to be had, and therefore haue propofed and desired it may be paid, out of y^e two fhillings $\text{3}\text{d}$ hhd, in w^{ch} y^e Councel to manifest their defires, and as far as in them lie's, that noe fuch feruices, may pafs unrewarded, haue agreed and granted, that M^r Auditor *Bacon* doe pay unto Cap^t *Thomas Gardner*, twenty five pounds *sterl*, out of moneys due, in payment to be made to them as Councillours, and doe recommend y^e feruices and sufferings of Cap^t *Thomas Gardner* to y^e confideration of y^e houle of Burgefles, for fuch further allowance in Tobaccos, as they fhall find agreeable, for fuch like gratefull and faithfull feruices, performed for this our Country

Edward Chilton Cl Gen^l Aff^{ly}

Some of y^e Burgefles present y^e following meffage

Saturday X^{ber} 9th 1682

May It Please Y^r Hon^{rs}

By y^r not affenting to this Act, all y^e reft of y^e Acts, by y^r Hon^{rs} already affented too this feffion, as alfoe thofe Acts you fhall hereafter affent too, are certainly and abfolutely rendred inuallid and of noe force, and wee muft of neceffity conclude, if this Act be not affented to by y^r Hon^{rs} y^t wee neither can at present proceed, nor now haue wee, nor fhall hereafter haue any lawes in this Country to be gouerned by, till after y^e next Affembly fhall make their humble Addrefse to his Majesty and haue his Majesties royall will and pleafure in order thereunto returned hither, and further may It please y^r Hon^{rs} y^e words in this Act are, that y^e Lawes and acts of Affembly &c doe & fhall continue in force &c and ought to be punctually obeyed &c untill fuch Lawes fhall be diffolued, by his Majesty, wherefore y^e houle of Burgefles doe humbly pray y^r Hon^{rs} to affent to this Act, as it is now presented

Tho: Milner Cl of y^e Affembly

Some of y^e Burgefles present y^e following meffage

Monday y^e 11th X^{ber} 1682

The houle of Burgefles, hauing receiued Information, that there are now, on Cap^t *Benjamin Halls* fhip in *Warrisquiack* bay, a uery confiderable quantity of skins, to y^e quantity of twenty hhds, to be exported, contrary to y^e intent of y^e Law made att y^e Affembly held in *June* 1680

The houle doe humbly pray y^r Hon^r to iffue out a warrant directed to y^e Sheriffe of y^e *Ife of Wight* County or fuch other perfon, as y^r Hon^r fhall think fitt to ferch y^e f^d fhip & to feize all fuch hides, skins or prohibited goods, as fhall be there found and that fuch proceedings may be thereupon had, as y^e Law directs

Tho: Milner Cl of th' Affembly

The addrefse granted

Coll *John Lear* & Coll *Arthur Smith* p^{se}nt y^e following meffage

Monday 11th 1682 X^{ber}

The Counties of *Nanzemond* and *Ife of Wight* amoungft other their greiuances fent by their Burgefles to this present Affembly haue complained, that there is due to diuers of y^e Inhabitants of y^e faid Counties, diuers fummcs of moneys for quarters of foldiers upon them in y^e year 1677, belonging to Major *Motleys* Company, according to y^e feueral accounts thereof ftated and figned by Cap^t *Tounge* and fome of y^e Juftices of each County in *January* 1677 and forasmuch as his Excellency y^e Lord *Culpeper*, att ye beginning of y^e Affembly 1680, was pleased to take notice thereof, and promifed his particular care, for y^e payment thereof and his Majesty hauing fent in money, for y^e paying y^e Soldiers wages, y^e houle of Burgefles doe hope his Majesty hath alfoe fent in, moneys, for y^e payment of y^e Quarters of y^e faid Soldiers and doe therefore pray y^r Hon^{rs} that you will please to take y^e fame, into y^r confideration, that y^e Inhabitants of y^e faid Counties may be paid, what is their juft dues, for y^e faid Soldiers quarters, according to his Excellencies promife, and their juft hopes and expectations

Tho: Milner Cl of th' Affembly

The

The L^t Gouvern^r acquaints them, that y^e same was represented to his Majesty, whose answer he suddenly expected in, with y^e arrival of his Excellency y^e Lord *Culpeper*.
A message from the house of Burgeses by some of their members

Munday Decembr 11th 1682 post Meridiem

May it please yo^r Hon^{rs}

Mr *Speaker* having acquainted this House y^t yo^r Hon^{rs} had signed a warrant directed to *Rob^t Bradley*, according to y^e House's humble request to yo^r Hon^{rs} for y^e searching Cap^t *Halls* ship for skins, and Mr *Speaker* was Informed by y^e Clerke of y^e Council that yo^r Hon^r had been pleased to Call in y^t warrant againe, noe particular person being appointed to prosecute. The House of Burgeses doe *therefore most humbly signify* to y^r Hon^{rs} y^t upon the Reputable Informa^{cion} of some Members of this House they did in the name of themselves, and of the whole Com^{on}ality of *Virginia*, give in this Information to yo^r Hon^{rs}, and will appoint some particular persons to prosecute the same, and doe humbly desire an immediate Execution of yo^r Hon^{rs} Writt by yo^r Hon^{rs} Command.

Tho: Milner Cl Affembly

December 12 1682

ORDERED y^t y^e Clerk Carry y^e following Message to y^e House of Burgeses.
By his Maj^{ties} L^t Gouvern^r & Council

Mr Speaker and Gent^l of the House of Burgeses

That this His Maj^{ties} Country from it's first seating to this day hath beene Governed (and that by a Royall Grant) by Orders Proclama^{cons} and Acts of Affembly, all Auncient as also present Records doe testify, to the preservation of y^e Rights & properties of euery Individuall person here Inhabiting, and that all Acts of Affemblys immediately after the promulgation thereof, have beene held deemed and adjudged to be of Executiue force, the practice of all Courts for a Continued succession of yeares hath so declared. unless in Acts limiteing time for their Commencem^t or that his most sacred Maj^{ty} hath been pleased to signify his Nullification of them, and of the same force and efficacy we hold them still to be, that equall Justice both to forraigners and Domesticks by y^e lawes of this Country hath beene Speedily administred to the great Hon^r of this Country is in all parts with whome we have any Commerce often so declared, and if all former Acts of Affembles had not had y^e force power and strength of Lawes without being reinforced by this Declaratory Act, where his Maj^{ty} hath not beene pleased by his Royall Authority to declare them void, then by y^e same measure, this Declaratory Act now in debate cannot be of any greater force, strength, or validity, then lawes formerly made since there hath beene one and the same Authority and Constitution in making all former Acts of Affembly, as now at present is in this proposed declaratory Act, therefore let us not Catch att y^e shadow and Hazard y^e substance.

Gent^l. we dayly expect y^e arrivall of his Excellency y^e Lord *Culpeper* who undoubtedly in few moneths after his arrivall will Convene an Affembly if upon due Considera^{cion} then had, it shall be found not only fitt but necessary That all our Lawes be revised, and by an humble adrefs presented to his Maj^{ty} imploring y^e royall assent to them as also y^t his Maj^{ty} will be graciously pleased to grant that y^e Acts of Affembly w^{ch} shall be futurely made may be held deemed and adjudged to have y^e full force and strength of Lawes untill his Maj^{ty} shall be pleased to make them void, in such an adrefs the L^t Gouvern^r and Council y^e next Affembly will readily Concurr with the House of Burgeses.

And *whereas* it's said many ill disposed persons have presumed to speake Contemptuously of our Lawes, questioning y^e validity thereof, the L^t Gouvern^r and Council doe here *Declare* y^t it's y^e duty of euery Magistrate to Convince y^e unbelieve of such euill and ill disposed Persons of y^e power & efficacy of our Lawes, by strictly executing y^e Lawes on such Offenders.

Edward Chilton Clerk of y^e Gen^l Affembly
Coll

Coll *Arthur Smith* and Mr *Henry Jenkins* bring the following Act for approbation
An Act Repealing an Exception in y^e ninth Act of Assembly made in Anno. 1664.
An Act Repealing y^e Sixth Act of Assembly Anno. 1680 about Attorneys.
An Act y^e witnessees be free from Arrests.

All assented too.

An Act for y^e Encouragement of y^e Manufacturies of Linen and Woolen Cloth

Assented to, but propose that ten pounds of tobacco be allowed for euery well made & wrought Hatt in this Country, and twelue pounds of tobacco for euery dozen of mens and weomens woollen or worsteed Hose, Spun and Knitt here.

An Act Declaring y^e meaneing of some words in his Maj^{ties} Charter dated y^e tenth of October 1676, & ascertaining severall dues and fees of officers about Escheates of Land.

The answer followes

Escheates are an inherent Right of the Crown, & not to be limited otherwise then his Maj^{ty} shall be graciously pleased to grant them, therefore ought not to offer to extend y^e Royall Grant of Escheates, or by Act of Assembly to put it into other words, then y^e Royall Charter expressees it selfe by, the Act for Escheates now proposed, and granted Escheates as thereby stated is without y^e expresse words of y^e Charter, *it's therefore desired*, we doe not offer att such presumptions, but referr y^e Consideracon thereof to y^e next Assembly, for then we may expect y^e signification of his Maj^{ties} Will and pleasure in all affaires of this Collony, & in the *Interim* Mr Secretary *Spencer*, who is Impowered by his Excellency the Lord *Culpeper* to grant Escheates, doth promise that noe Grants shall pass in Escheates, untill the arriuall of his Excellency y^e Lord *Culpeper* and to y^e Intent noe pretensions of Right to Escheates may be wronged. *It's agreed* that Entries by Caueats may be, in y^e same state as before the office was open in y^t Concerne.

As to that part of this Act, directing how Debts Contracted before the making and Publication of this Act shall be paid it's unprecedentiall, for a Law made *post factum* cannot so extend itselfe to include debts or other personall accounts made & done before such a Law, had life or being, & though in this Act it may be said, it doth not positiuely looke back, yet it is so little different in effect, that it's equally hard and bitter, requiring to forbear receiueing debts for one yeare, or if y^e Creditor will by Law force y^e payments of his due debts, then to be paid and satisfied in Commodities att rates in this Act expresseed, & in noe other Commodities, directly ag^t y^e Right of an Act of Assembly made in Anno 1663 entituled *An Act for permitting Persons under execution to redeeme their Bodies by their Estates*, in w^{ch} is reasonable provision made for y^e reliefe of Debtors

In all parts either selling or buying pipe stauces y^e tole alwaies goes att y^e number of fix score to y^e Hundred, & att y^e Number of y^e Kings Book of Rates, they are so settled. It's therefore proposed pipe stauces be expresseed by fix score to y^e Hundred, it's fitt to be expresseed that this Act doth not intend to Include the payments of Quitt rents, but that his Maj^{ties} Rents be paid as formerly, these parts being amended

This Act is assented to.

Ordered that the Clerk carry y^e foregoing Acts and answers to the House of Burgessees, and deliuer them to Mr *Speaker*.

Coll *Tho: Brereton* and L^t Coll *Arthur Smith* present y^e whole acco^t of y^e Publique Debts

14th December 1682

COLL *W^m Kendoll* Coll *W^m Bird* and Mr *Thomas Clayton* waite upon y^e Gouvern^r and Councill, and desire them to expedite Cap^t *Hall*, and discharge him from what skins were seized on Boord his ship

Ordered that the Clerk waite upon the house of Burgessees and enquire of them whether they know or not that Mr *Herbert* Mr *Bullens* factor has any advice of the skins being seized w^{ch} he Configned to Mr *Bullen*, as likewise to transmitt y^e particular acco^{ts}

acco^{ts} how y^e Comanders and foldiers of y^e Respective Garrifons haue been paid to y^e intent it may appeare what Credit y^e Country has had for y^e time y^e Kings foldiers were att y^e Garrifons.

The Clerk proceeds and deliuers his Meffage.

The Clerk Returnes.

Coll *W^m Brown* and M^r *Edward Revel* waite upon the Gouvern^r and desire him to Iffue forth his fumions for M^r *John Herbert*'s perfonall Appearance to anſwer for fhiping Buck and Doe skins.

The L^t Gouvern^r acquaints them that he will grant their request and order a Sumons to be prepared.

The Gent^l. returne

Ordered that the Clerk goe to the Houfe of Burgeffes and desire that their Clerk may be ordered to Returne a Lift of Tythables to be Recorded in y^e Secretaries Office

The Clerk returnes and brings a Lift

M^r *Arthur Allen* Cap^t *Anthony Armefteed* and M^r *Henry Jenkins* preſent y^e following A^{ct} for the Gouvern^rs and Councells aſſent.

An A^{ct} for y^e Advancement of Manufacturies of y^e growth of this Country and for the better & more ſpeedy payment of Debts and Levies.

The Gent^l returne

Ordered that y^e Clerk returne the A^{ct} with y^e following Additions.

In this A^{ct} it's fitt to be provided that if y^e Debitor make tender of payment of his Debt in y^e Commodities in this A^{ct} ſpecified, that then the Creditor if in this Country, to haue timely notice giuen him by y^e Debitor of his Intentions in theſe mañers of payments that y^e Creditor may provide for y^e ſecurity of the ſame, and in Caſe y^e Creditor be not a liuer in the Country that then his Attorney haue timely Notice thereof.

In this Law it ought to be declared y^t it doth not in any waies intend his Maj^{ties} Deeds & Cuſtomes be paid in payments otherwiſe then by former Lawes Eſtabliſhed.

The Clerk Returnes.

Coll *William Bird*, M^r *William Fitzhugh*, and Cap^t *John Langhorne* come in, and preſent the accounts how the Reſpective Comanders and Soldiers of the Garrifons haue beene paid, as the Leiv^t Gouvern^r and Councill deſired.

The Gentlemen returne.

Maj^r *Edward Dale* and Cap^t *W^m Ball* preſent the following A^{ct} with amendments, which is aſſented to.

An A^{ct} for the Advancement of Manufacturies &c:

The Gent^l: Carry the A^{ct} back.

M^r *James Minge* &c: preſent the acco^t of Runawaie's.

Ordered that the Clerk Carry the Acco^t of the Publique Credit to the houſe of Burgeffes, with the following directions and Exceptions.

December y^e 14th 1682

His Maj^{ties} Attorney Gen^l is an Officer moſt neceſſary and hath in all former Affem- blies beene Allowed by the Publique, it's therefore reaſonable the preſent Attorney Gen^l be allowed as others in the ſame Nature Commiſſionated being four thouſand pounds of tobacco p Annu which Rate ſlenderly payes the Charge of his Attendance in Town.

Henry Newcomb was in former yeares found ſo Notoriously villanous, that he was for euer rendred unfitt to ſerve in that Capacity, as by his Bond herewith ſent doth appeare, but if the houſe of Burgeffes doe know of any ſervice by him done, for which not ſatisſied, it's deſired to be ordered proportionably for what due.

The allowance giuen to M^r *Richard Littlepage* for pretence of more tythables returned then in the County, is unpreſidentiall, and if now allowed will open a Gapp of great trouble to future Affemblies.

The houſes att the Middle plantation in which his Majeſties Powder is kept, cañot be diſcharged, untill the arrivall of his Excellency, who will direct for the diſpoſall of the Powder.

It's

It's found Reasonable Cap^t W^m Armiger be allowed att least three thousand pounds of Tobacco with Cask for the use of his Roomes more then in the state of Claimes is allowed.

The Deferts of Mr *Speaker* are very greate and allowances should accordingly be offered, but the present meanness of our Condition, requires our best husbandry, and therefore doe desire it may be Considered, that *Aprill* Assembly did Continue but eight dayes, and therefore doe propose fiftene thousand pounds of Tobacco with Cask be allowed Mr *Speaker*.

Maj^r *Beverley* is allowed twenty thousand pounds of Tobacco for his service as Clerk of the house of Burgesses in *Aprill* last, which was prorogued in eight dayes after it's first Meeteing, and according to that time he ought to be allowed, which may be fix thousand pounds of tobacco, and for his attendance this sessions it was in order to his own affaires, as he himselfe by his Petition expressed, therefore it cannot be thought reasonable to be allowed by the Publique for being in *James Town* onely to attend the management of his Particular Concernes

To *Edward Chilton* Clerk of the Gen^l Assembly for *Aprill* Assembly and this present Assembly fiftene thousand pounds of Tobacco with Cask, being proportionably to what was allowed, when his Excellency the Lord *Culpeper* was here.

The Clerk returns the accot of the Runawaies.

December 15th 1682

COLL *Lemuell Mason* and Cap^t *Anthony Armisteed* present the following Messages.
December 15th 1682

For asmuch as by the third Act of Assembly of the eight of *June* 1680 there is Raied a Publique Revenue for the Maintenance of severall officers, of which officers this house doe Conclude Mr *Edmund Jennings* his Maj^{ties} Attorney Gen^l for this his Dominion to be one.

This House doe therefore *Resolve* that the said Attorney Gen^l ought to be paid his fallery and allowance out of the Publique Revenue, raied by the said Act of *June* 1680, and not out of the Publique Levy

Tho: Milner Cl Assembly

Decembr 15th 1682.

The Question being putt whether the *Resolve* of this house of the 15th Instant concerning the Attorney Gen^{ls} allowance shall be Confirmed or noe.

Resolved in the affirmative that the *Resolve* of y^e 15th instant be Confirmed.

The Question being putt whether *Henry Newcomb* as Interpreter shall haue any allowance from the Publique.

Resolved and ordered that *Henry Newcomb* shall not be allowed any thing as Interpreter from the Publique, which *Resolve* is grounded upon a Bond sent to this House from the Hon^{ble} Gouvern^r and Councill, by w^{ch} he is rendred uncapable to serue the Country as Interpreter.

Resolved that the name of *Henry Newcomb* be obliterated in the Journall of this House *December* y^e 13th and the name of *Richard Washington* of *Surry* County inferted in the steed thereof for an Interpreter for y^e future.

It being debated whether the allowance to Mr *Littlepage* Sheriff of *New Kent* for tythables ouer charged on the said County *Ano* 1680 shall stand or noe.

Resolved that it doe stand the justness of his Claime haueing beene authentically proued to this house.

The Question being putt whether there shall be three thousand pounds of tobacco added to the allowance of Cap^t W^m Armiger or noe.

Resolved it shall be allowed.

The house doe *Resolve* *Nemine Contradicente* to Confirme the allowance of twenty thousand pounds of Tobacco & Cask to Mr *Speaker*.

Upon

Upon ferious debate and Confideraçon of the Articles that Came from their Hon^{rs} Concerning Maj^r *Beverleys* allowance, *it's ordered* that their Hon^{rs} be humbly advertized that the houle of Burgeffes did allow the furn of twenty thoufand pounds of tobacco to Maj^r *Beverley* not onely for his being Clerk of the Affembly in *Aprill* laft, but for many Considerable Extraordinary Services before and fince that Affembly performed by him.

Refolued that there be added to the former allowance of ten thoufand pounds of Tobacco to M^r *Edward Chilton* the furn of fiue thoufand pounds of tobacco & Cask more w^{ch} makes in all fiftene thoufand pounds of Tobacco & Cask & y^t it be mended in the ftate of the Claimes

Tho: Milner Cl Affembly

Ordered that the Clerk goe to the houle of Burgeffes and defire that the Acco^t for w^{ch} Maj^r *Beverley* was allowed twenty thoufand pounds of tobacco & Cask be fent up to the L^t Gouvern^r and Council.

Coll *James Powell* and M^r *Abraham Weeks* bring the laid account.

L^t Coll *John ffarrer* comes from the houle and acquaints Coll *Phill Ludwell* that there is a Debate now in the houle of Burgeffes betweene him and Doctor *George Lee*.

Ordered that the Clerk Carry the foll paper in anfwer to the houle of Burgeffes laft Meffage.

Three Interpreters are admitted and fworne, a number fufficient to attend upon all occafions, therefore in the place of *Newcomb* there is noe neede of another Interpreter to be appointed.

As to the allowance giuen to M^r *Littlepage* it's infifted on more, then that it ought to be well Confidered how prefidentiall this Grant will futurely be, and it's defired the Authentick prooffe of this Claime made to the houle of Burgeffes be fent up to the L^t Gouvern^r and Council that they as in their parts may be Judges of the juftnefs of the Claime.

The L^t Gouvern^r and Council haueing under their Confideraçon the prefent great and weighty Debt, the Publique hath unavoidably Contracted, and being defirous in what poffible they juftly may to eafe the Publique, haue Refolued the Clerk of the Gen^l Affembly, nor the Clerk of the Affembly be in any kind Chargeable to the Publique, but that according to a Parliamentary way they haue noe other profitts then what may juftly be demanded by due fees eftablifhed by Law.

All Claimes and fees founded by Law it's moft fitt they be allowed, and if any Law can be produced whereby to Juftifie us in paffing the allowance of twenty thoufand pounds of tobacco & Cask to the Speaker, it's defired that Law be produced to auoid Delays or further Arguments in the Matter

Our Refolues being not to leffen the Right the Law hath provided for any man, nor to be fo Regardlefs of our Truft to Convert the Gratifications not Eftablifhed by Law, And whereas the Houfe of Burgeffes haue Refolued *Nemine Contradicente* to allow the prefent Speaker of the Houfe of Burgeffes twenty thoufand pounds of tobacco & Caske it's not Controverted provided it be not Charged to the account of the Publique.

Decembr 15th 1682

Edward Chilton Cl Gen^l Affembly

M^r *Charles Turner* and Cap^t *John Langhorne* waite upon the L^t Gouvern^r and Council and acquaint them that the Houfe of Burgeffes had fent them to fatisfie their Hon^{rs} in the juftnefs of M^r *Littlepages* Claime and M^r *Turner* affirmed, that as being a Juftice of *New Kent* to his knowledge the County had allowed M^r *Littlepage* for the ouerplus tythables returned in County Levy.

The L^t Gouvern^r acquaints them that it was an ill prefident and Defired that the houle would remitt the fame back to *New Kent* County, and there M^r *Littlepage* to be Satisfied for what Tythables he returned more then due.

Ordered that the Clerk Carry to the Houfe of Burgeffes the Acco^t of M^r *Robert Beverley* with this following addition.

Great part of that Charge relates to his Excellency the Lord *Culpeper*, and moft part of the reft of the Articles for Coppies tranfmitted to *England*, it's therefore thought

fitt

fitt the whole be referred to the arrivall of his Excellency the Lord *Culpeper*, and then the meritt of the whole Claime to be taken under Confideraçon.

Coll *John Stone* and M^r *Hen: Jenkins* present the following meffage

Decembr 15th 1682

May it please yo^r Hon^s

It hath alwaies beene the ufuage and praëtice of the Houfe of Burgefles, euer fince there hath been any Affemblyes in *Virginia*, to gratifie their Speaker, their Clerks, and other Officers according to their meritt, as they haue thought fitt, and the Houfe of Burgefles doe humbly Conceiue that praëtice and Ufage to be a fufficient Ground for this Houfe's proceeding therein.

It was Judged by this houfe that two Interpreters were fufficient, but now understanding there are three fworne doe humbly fubmitt to yo^r Hon^s in that poynt and pray that there Names may be Returned to this Houfe.

To M^r *Littlepage* although the Houfe is fatisfied in the Juftnefs of his Claime, yet yo^r Hon^s Concerning [conceiving] it may be of ill Confequence to the Country, humbly offer that his allowance may be deducted from the prefent Levy and his Cafe referred to the Confideration of the next Affembly.

Tho: Milner Cl Affembly.

M^r *Malachy Thrufton* and M^r *Thomas Barber* waite upon the Gouvern^r and Defire to know whether they may Expect any anfwer tonight.

The L^d Gouvern^r acquainted them that there was a Meffage prepareing w^{ch} fhould be fuddenly fent.

Ordered that the Clerk Carry the two foll. meffages.

December 15th 1682

By his Maj^{ties} L^d Gouvern^r and Councill

M^r Speaker and Gent^l. of y^e Houfe of Burgefles

If the Auncient Records of the Affembly be Revifed it will be found noe gratification was giuen to their Speaker nor Reward to the Clerk of the Affembly Exceeding fiue or fix thoufand pounds of Tobacco for a feffions, neither did the Houfe of Burgefles euer Conceiue themfelues to haue the fole difpofall of affeffments without the Concurrance of the Gouvern^r and Councill as being two parts of the three Eftates the Gen^l Affembly Confifts of.

The prefent Debate of Gratifying the Speaker and Rewarding the Clerk of the Affembly may moft fittly be Refolued, when his Excellency the Lord *Culpeper* arriues, by whome we may Expect his Maj^{ties} pleafure in all Affembly affaires, and therby be directed what allowances and Rewards to appoint for fervices done.

It's therefore Refolued the prefent Concerne to the Speaker and Reward of the Clerk of the Affembly be Referred to the Confideraçon of the next Affembly.

The Names of the Interpreters which are fworne and appointed are

Tho: Bufby

Dauid Whittley

George Smith

Edw^d Chilton Cl Gen^l Affembly

December 15th 1682

By his Maj^{ties} Deputy Govern^r

M^r Speaker and Gent^l. of the houfe of Burgefles

It's fome dayes fince the Councill and you presented Me with feuerall Bills prepared for Lawes, to w^{ch} I affented w^{ch} I doubt not but are Ingroffed and fitted for Publicaçon all Claimes from the Publique haue been Examined and what found due paft, thofe Relating to the Speaker the Clerk of the Gen^l Affembly, Clerk of the Affembly, and Maj^r *Beverley* are Referred to the Confideraçon of the next Affembly, I defire therefore youle without delay proceed to the proportioning of y^e Levy, that tomorrow we may clofe this feffions

Hen: Chicheley

Ordered

Ordered that the Clerk goe to the House of Burgeffes, and desire to know whether the Gouvern^r and Council may Expect an answere from the House this Night.

The Clerk Returnes with answere that the House would immediately send an answere.

Maj^r Arthur Allen, M^r W^m Fitzhugh and Cap^t Anthony Armsteed present the following Message.

Decemb^r y^e 15th 1682

To the R^t Hon^{ble} y^e L^t Gouvern^r and Council

May it please yo^r Hon^{rs}

By the Message now sent us in Writeing, you are pleased to Signifie, that you haue Resolued that the Concerne of the Speaker, and Reward of the Clerk of the Assembly be Referred to the Consideration of the next Assembly, and thereupon his Hon^r the Govern^r haueing referred the allowances relateing to the Speaker, the Clerk of the Gen^l Assembly, Clerk of the Assembly and Maj^r Beverley to the Consideration of the next Assembly wthout The Consent of this House, they humbly Conceiue they are thereby excluded from haueing any influence in the Gen^l Assembly, and therefore Cannot proceed to the proportioning the Levy, or any other affaires of the Country now before them, w^{ch} they hoped to haue finished tomorrow.

Tho: Milner Cl Assembly

Ordered that the Clerk goe to the House of Burgeffes and acquaint them there is a Message preparing in answere to theires last sent, w^{ch} shall presently be sent.

The Clerk Returnes with answere that the House of Burgeffes would waite and expect the Govern^rs Comands

Ordered that the Clerk Carry the foll Message.

Decemb^r 15th 1682

By his Maj^{ties} L^t Govern^r and Council

M^r Speaker & Gent^l. of the House of Burgeffes.

The L^t Gouvern^r and Council in their Messages lately sent expressing their Desires that the Concerne of the Speaker now in debate, as also the Reward of y^e Clerk of y^e Gen^l Assembly Clerk of the Assembly, and Maj^r Beverleys Claime to be referred to the Consideraçon of the next Assembly is not taken in the sence intended, for it was not intended to exclude the house of Burgeffes in that reference, in which could not doubt of their Concurrence, and that for those many Reasons laid down in feuerall Messages this day sent, and not as yet Directly answered.

Edw^d Chilton Cl Gen^l Assembly

Ordered that the Clerk goe to the house of Burgeffes & acquaint them their answere is expected this night, and that the Gouvern^r and Council desire their house may be full to make answere to the last propositions.

The Clerk Returnes

Coll W^m Byrd and Cap^t John Langhorne waite upon the Gouvern^r and acquaint them that the House of Burgeffes would immediately Returne an answere

The Gent^l returne.

Cap^t Miles Carey and L^t Coll John Farrar waite upon the Gouvern^r and acquaint him that their house was preparing a Message to send.

Coll W^m Bird &c. present the foll message

The 15th of Decemb^r 11 att^r night

May it please yo^r Hon^{rs}

This House Conceiue themselues the most fitt and Competent Judges, in rewarding the Deferts and Meritts of their own Officers, and doe find upon their Records and Journalls the allowances now granted many times with Addition, seldom diminution for this many yeares, nor can we learne neither from our Records Journalls or auncient Members of this House, that euer before now, any of their Rewards or gratuities (though sometime Change appeares) was euer disputed by the Gouvern^r and Council nor doth this House think it reasonable that any officer of theires should or ought to haue any dependance on any other for their services done here, then immediately upon the House

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it selfe, nor can Wee belieue that wee may expect any p̄ticular direction from his Maj^{ty} in payment of our Officers, especially when wee Consider yo^r Hon^{rs} first paper in this dispute, wherein you doe Concurr with us, provided wee would make abatement in some of our allowances, which (had not y^e greatnes of the Publique Charge appeared) Wee esteemed too small a Reward for their great & many services in *Aprill* and this long Assembly, it appeareing to us that former assemblies haue allowed the whole Reward for halfe the service, and it would be apparent injustice to referr our Officers to another assembly for their just rewards, and a thing wholly impractick in any former when a Levy hath been laid, and therefore hope yo^r Hon^{rs} will noe longer urge for their further abatements or stay from their so well deserved allowances.

Tho: Milner Cl Assembly.

Ordered that the Clerk Carry to the house of Burgeffes two old Books of Records the one dated in 40 y^e other in 57 wherein it appeares noe Gratuity was formerly giuen to the Speaker and an inconsiderable one to the Clerk of y^e Assembly in respect of what is now offered.

The Clerk returnes.

Mr *James Minge* and Cap^t *John Langhorne* with Coll *Tho: Milner* Clerk of the House of Burgeffes bring a Book to Justifie their allowance to their Speaker, and Clerk Continued aboue twenty yeares.

Cap^t *Miles Carey* and Cap^t *Anthony Armefteed* waite upon the Gouvern^r to know if he will please to Returne an answere tonight

The Gouvern^r replies affirmatiuely

Ordered that the Clerk goe to the House of Burgeffes and desire to know whether they will send any answer tonight

The Clerk returnes with answer that the Speaker said he would send soone.

Coll *Isaac Allerton* Mr *W^m Fitzhugh* Mr *Christopher Robinson* and Mr *James Minge* waite upon the L^t Gouvern^r & Councill and desire to know what it is that is desired, that a Mediation may be found to Compose and settle all differences whether it be Relateing to the allowances of y^e Clerk of the Gen^l Assembly, and y^e officers of y^e said House.

The Gouvern^r and Councill desire them to Returne to their House, and know their opinion whether they think themselves to haue that Authority to raise a Levy without the Consent of the Gouvern^r & Councill, and whether Major *Beverley* was meant amongst their officers in one of the last of their Messages.

The Gent^l not haueing full Comissions to discourse more then what they deliuered, therefore returne.

Mr *James Minge* Mr *W^m Fitzhugh* and Mr *Christopher Robinson* present the foll meffage.

December 15th 1682

May it Please yo^r Hon^{rs}

This House by any of their writings sent to yo^r Hon^{rs} did neuer intend or think their words in any of them could extend to be Construed, that they tooke themselves independent to yo^r Hon^{rs} in Respect to y^e laying or levying any allowance but onely in ascertaining Rewards to their own officers, (of whose deserts) they Conceiue themselves most Capable of Judging as appeares by their presenting to yo^r Hon^{rs} y^e state of the Claimes this present session for yo^r Confirmation.

Tho: Milner Cl Assembly

The L^t Gouvern^r and Councill adjourne while tomorrow morning

Saturday December 16th 1682

MR *W^m Sherwood* and Mr *Charles Turner* from the House of Burgeffes waite upon the L^t Gouvern^r and Councill and acquaint them that their House haue thought fitt to allow Maj^r *Robert Beverley* ten thousand pounds of tobacco & Cask to be paid this Levy, and are willing that the rest be referred to the next Assembly Provided the L^t Gouvern^r and Councill would Concurr therein.

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The L^t Gouvern^r and Councill acquaint them that they haue already fetled fix thoufand pounds of Tobacco to Maj^r *Beverley* and are willing that the other Articles to be referred to the next Affembly then to be allowed, Provided they appeare to be juft.

The Gent^l returne

M^r *W^m ffitzhugh* and M^r *Christopher Robinson* waite upon the L^t Gouvern^r & Councill & acquaint them that their houle would enter noe meffages returned by their Members in their Journall, and therefore defired what was fent from hence be fent by fome of their Meffengers.

Ordered that the Clerk Carry the following Meffage.

Decembr 16th 1682

By the L^t Gouvern^r and Councill

M^r Speaker & Gent^l of y^e Houfe of Burgefles.

The L^t Gouvern^r and Councill haue Confidered the Claime of Maj^r *Robert Beverley*, and doe think it reafonable he be allowed in this prefent Levy fix thoufand pounds of tobacco and Cask, and further doe Confent that the Articles of his Claime be referred to y^e Confideration of the next Affembly for a further fatisfaction, if upon a full examination any fhall be found due unto him, and it's defired noe further delayes be in debates of this affaire, but that the Houfe of Burgefles doe fignifie their Concurrence thereto.

Edw^d Chilton Cl Gen^l Affembly

The Clerk Returnes.

Coll *John Leare* and Maj^r *Arthur Allen* prefent the foll meffage

May it please yo^r Hon^{rs}

The Houfe of Burgefles doe pray yo^r Hon^{rs} to fignifie to this Houfe if they fhall Concurr with yo^r Hon^{rs} in the laft propofall concerning Maj^r *Beverley*, whether this houle may without further debate of any other matters proceed to the proportioning the Levy according to the now ftate of the Claimes (this being deducted)

Tho: Milner Cl of Affembly

Decembr 16th 1682

Ordered that the Clerk goe to the houle of Burgefles and defire the acco^t of the levy.

The Clerk returnes with anfwer that M^r *Speaker* would immediately Returne y^e acco^t Maj^r *Edward Dale* and Coll *John Stone* bring y^e Levy acco^t

The Gent^l. returne.

Ordered that the Clerk Carry y^e following Meffage to the Houfe of Burgefles.

Decembr 16th 1682

By the L^t Gouvern^r and Councill

M^r Speaker and Gent^l. of the houfe of Burgefles

In the ftate of Claimes now Reced from the houfe of Burgefles, the Comitte^e haue Reported *Edward Chilton* Clerk of the Gen^l Affembly, by his Recording many Publique papers and other fervices done as by the Report of the Comitte^e is expreffed hath deferved for thofe fervices ten thoufands pounds of Tobacco & Cask w^{ch} the Houfe of Burgefles approued of and allowed as by y^e ftate of the Claime prefented y^e 14th Instant and for his fervice of y^e Clerk of y^e Gen^l Affembly, it's propofed Confidering the prefent great Charge on the Publique he be this prefent leuy allowed onely ten thoufand p^{ds} of tobacco with Cask, w^{ch} is farr fhort of what his paines and Care do deferue which in the whole makes twenty thoufand pounds of tobacco & Cask and in this Cañot doubt the Concurrence of the Houfe of Burgefles.

Edw^d Chilton Cl Gen^l Affembly

M^r *W^m ffitzhugh* M^r *Christopher Robinson* and Cap^t *Anthony Armefteed* from the houfe of Burgefles waite upon the L^t Govern^r and Councill and acquaint them that their houle doe willingly Concurr in giueing *Edward Chilton* Clerk of the Gen^l Affembly twenty thoufand pounds of tobacco to be raifed this prefent Levy, and defire that all other Claimes as they are ftated may be allowed of.

The Gent^l. Returne

Ordered

Ordered that the Clerk goe to the house of Burgeffes and carry the Booke of Acco^{ts} of the Publique Levy, and desire that the Gent^l. proceed to y^e proportioning of the Levy.

The Clerk returnes with answere that y^e Com^{tee}s appointed for proportioning the levy should presently be sent forth.

Coll W^m Bird M^r Malachy Thruston &c. acquaint y^e L^t Gouvern^r and Councill that the Com^{tee} of Claimes had Com^{itted} an Error in Maj^r Beverleys acco^t and allowed him fix thousand pounds of tobacco less then he ought to haue, being miscast up, w^{ch} in the name of their house they desired might be rectified.

The L^t Govern^r & Councill upon the afore^d Members affirma^{cion} that the acco^t was wrong Cast up, allowed it to be rectified.

Die Lunæ 18th Decembris

COLL Isaac Allerton Coll W^m Kendall M^r John Buckner, M^r W^m Fitzhugh M^r Christopher Robinson and M^r W^m Hardridge present his Excellency with the Levy as it is now proportioned and desire to know, when the House shall waite upon him.

His Excellency acquaints them that he would soone send to their house.

The Gent^l. returne.

Die Lunæ 18^o X^{bris} 1682

By his Excellency and Councill

In the A^{ct} Repealeing the fixth A^{ct} of Assembly An^o 1680 about Attorneys.

It's proposed that the preamble be omitted, and that it may be onely said, *this A^{ct} being found inconven^t therefore it's repealed.*

In the A^{ct} Repealeing the Exception of the Inhabitants of James Citty County from arrefts

It's proposed the Inhabitants of James Citty be not included in that Law, but that in Court time, they may be lyable to arrefts, there being not the like reason for their Exemption as for the Inhabitants of the County.

In the A^{ct} for the encouragement of Liñen and Woolen its proposed for y^e prevention of deceipts, that the Law directs all Certificates to be passd under the hands of two Justices of the peace, whereof one to be of the Quorum, and that Certificates be returned to the County Courts, and filed up at the Court house, where all persons may haue the view of them.

In the A^{cts} prohibiting hides, skins, Iron and Wool to be Exported, It's proposed that a Clause be added, whereby to provide that if any persons be sued upon forfeiture of y^e expoting of any Com^{odities} prohibited by this A^{ct}, they shall not be lyable to be sued by any other former A^{ct}, prohibiting the Exporta^{cion} of any the Com^{odities} in this A^{ct} Contained all the penalties by this Law appointed upon forfeitures are very severe, and a Mitigation thereof will be more agreeable to Lawes of this Nature, and that part of this A^{ct} w^{ch} renders euery ~~Person~~ & ~~Persons~~ who shall be lawfully Convicted of exporting any Com^{odities} by this Law ~~Prohibited~~, incapable of suing or recouering by Law any debts it's most fitt it be wholly left out; this a^{ct} being a probationall a^{ct}, it's most worthy of Confidera^{cion}, whether it will not be most agreeable to make it temporary onely for three yeares.

In the A^{ct} for advancement of Manufactory it's proposd y^t in the fourth line, next after the words, (after publication hereof) be added these words, *in this his Maj^{ties} Collony and Dominion of Virginia.*

Edw^d Chilton Cl Gen^l Assembly

Ordered that the Clerk Carry the aboue Message to the House of Burgeffes.

The Clerk Returnes.

Ordered that the Clerk goe to the House of Burgeffes and acquaint them, that his Excellency is now ready to receiue their attendance.

The

The Clerk returnes with anfwere that the Houfe would immediately attend his Excellency.

Mr *Speaker* attended with the Houfe of Burgeffes waite upon his Excellency and Congratulate his fafe arrivall.

Die Martis 19^o 1682

COLL *John Leare*, Coll *Arthur Smith*, Maj^r *Arthur Allen*, and Mr *John Brashear* prefent a petition, relating to the Inhabitants of the *Isle of Wight* and *Nanzenburg* Counties.

The Gent^l. returne

Ordered that the Clerk goe to the Houfe of Burgeffes and desire the aboue named Gentlemen to waite upon his Excellency.

The Clerk returnes.

The Gent^l. attend his Excellency.

Ordered that the Clerk goe to the Houfe of Burgeffes and desire that the meffage sent laft night be returned.

Mr *Fitzhugh* &c. bring the paper.

Die Martis 19^o Decembris 1682

By his Excellency and Council

In the Act making it poenal for any person to declare the Acts of Affembly are not of force.

It's propofed this Act be made as an Additionall Poenalty to what legally may be already inflicted upon offenders, who fhall dare to offend ag^t the Authority and Dignity of the Gouvernm^t in fo high a Nature, as to fpeak Contemptuoufly of the power and Efficacy of our Lawes.

It's propofed that Confidering the fhortnefs of our Crops, and the greatnefs of our prefent Leuy, that one halfe be p^{ro}portioned and ordered to be paid this yeare, and y^e other halfe the next yeare, w^{ch} will render the whole paym^t much y^e eafier.

It's propofed that one yeares Charge of Mainteining of the four Cap^{ts} and ffourfcore foldiers by Act now eftablifhed be provided for this prefent feffion of Affembly, and p^{ro}portioned with order of payment to be Levied and paid the next yeare as fhall now be proportioned, it's fitt this provifion att leaft be made for the encouragem^t of the foldiers, to affure them that noe accident fhall retard their payments.

To the Act for encouragem^t of Manufacturie a Claufe be added declareing that Law to be and Continue of force for three yeares

The Act Repealeing the fforts to be made temporary, and to be repealed for three yeares only, and fo to be provided for by a Claufe in the faid Act.

In the Act for advancem^t of Manufacturies of y^e growth of this Country &c: a Claufe to be inferted, to declare this Act to be of force for three yeares onely.

Edw^d Chilton Cl. Gen^l Affembly

Ordered that the Clerk Carry the following Meffage.

Die Martis 19th Decembris 1682

By his Excellency

Mr *Speaker* and Gent^l. of the Houfe of Burgeffes

In the Articles of Claimes and allowances, paffed by y^e Council & yo^r felues in the ffate of the prefent leuy, relying on y^e Care of y^e Council and yo^r Houfe, in the fitnefs and juftnefs of y^e fame I haue paffed all, but one Article, being fix thoufand p^{ds} of Tobacco allowed to Maj^r *Beverly*, w^{ch} I fhall not Conſent unto, he being repreſented to his Maj^{ty} as a principall fomentor and encourager of y^e late diforders of plant Cutting and other diforders, & by his Maj^{ties} Com^{ds} in Council by ord^r beareing date *June* y^e 17th 1682, and by my Inſtructions made uncapable of any Office or Truſt, in this his Maj^{ties} Dominion, untill his Maj^{ties} pleaſure fhall be Therein further ſignified, and

Gent^l.

Gent^l. my Conceding to the intercession of the Councill and the House of Burgeffes in *June* 1680 to restore him, when by his Maj^{ties} Comands he was made incapable of any publique Employment, was not well accepted of, therefore Cannot admitt of any allowance to be now made him, untill he hath satisfied his Majesty that his services haue deserved the same.

But in the Reading ouer the Journall of this present sessions I obserue, some Debate hath beene Concerning the allowance to be made to the Attorney Gen^l out of y^e Levies for services done in that Capacity, and that he hath not beene allowed for the same. Now forasmuch as he is his Maj^{ties} Officer, onely for his Maj^{ties} and the Countries services here, & that in all respects equally with those you haue provided for and that y^e usuall allowance of four thousand pounds of Tobacco p annum is so small, that wthout other encouragements he cannot subsist. I doe desire and expect that the said Sum be paid unto him out of y^e 1^d Levies, as well as greater sums to other p^{er}sons.

As to yo^r Adrels concerning the paym^t of the Quarters of Maj^r Motleys Company in the *Isle of Wight* and *Nanzimund* Counties I made it my business whilst in *England* to sollicite the same, but without effecting thereof or receiuing any part, nor as yet able to doe any thing therein however in regard of my Promise to the Assembly in 1680 and y^t I may not in the least faile yo^r expectations I will giue speedy directions, that the same be effectually paid to yo^r satisfaction, and of all other persons Concerned

Tho: Culpeper.

Mr W^m Sherwood Mr James Minge, Mr Christopher Robinson and Mr Charles Turner present his Excellency with the Ord^{rs} of Assembly.

December 19th 1682

By his Excellency

Mr Speaker and Gent^l of the house of Burgeffes

The Ord^{rs} euen now presented Me, are all new Matter, and att present cannot be fully Considered, and may be referred to the next meeteing, w^{ch} I hope will not be long, w^t in the Orders relates to the fforts, effectuell Care shall be taken therein according as is desired

Tho: Culpeper.

The Clerk presents y^e aboue Message to the house of Burgeffes

Coll Lemuell Mafon Mr W^m Sherwood and others from the House of Burgeffes present the following paper.

Decembr 19th 1682

To his Excellency

May it please yo^r Excellency

The House of Burgeffes haueing in behalfe of themselves and of the whole Comonality of *Virginia* the 11th of this Instant *December* giuen in an Information ag^t one *John Herbert* for the breach of the 12th Act of Assembly of *June* 1680 Prohibiting the exportation of Deer skins, whereupon a Tryall hath been had, before the R^t Hon^{ble} L^t Gouvern^r & Councill and the said *John Herbert* haueing Confest the fact, the house of Burgeffes in the name of themselves, and of the whole Comonality of *Virginia* doe humbly craue Judgment thereon according to Law.

Tho: Milner Cl Assembly

The answere followes

December 19th 1682

By his Excellency

Mr Speaker and Gent^l. of the house of Burgeffes

Yo^r last Message occasioned my perusal of what proceedings haue passd in the seizing feuerall Buck and Doe skins from off aboard the ship *Dolphin*, Cap^t Benj^a Hall Comand^r which were shipt Contrary to the 12th Act of Assembly 1680 and since by order of Councill Condemned, and Notwithstanding the former proceedings haue been somewhat irregular as to the formalities of Law, yet since the Councill haue already adjudged them to be legally forfeited, shall giue directions that the Moyety due to the Informers be

be disposed of, as the Law requires, all Cofts Charges and Sallery being first deducted, to such Person or Persons as yo^r House shall think fitt to Nominate Informers, and to receiue the same.

Tho: Culpeper.

Ordered that the Clerk Carry the aboue Message

The Clerk Returnes

Cap^t *John Langhorne* Mr *James Bifs* Maj^r *Edward Dale* and Mr *W^m Preffly* waite upon his Excellency and acquaint him that their House in the morning would returne an answere to y^e last Messages sent.

The Gent^l. returne

December 20th 1682

COLL *W^m Bird* and seuen other Gent^l. present the foll paper with the Acts and Ord^{rs}

To his Excellency

May it please yo^r Excellency

Before yo^r Excellencies with't arriuall the House of Burgeffes had pass'd severall Bills and presented them to the R^t Hon^{ble} the L^t Gouvern^r and Councill, w^{ch} were returned by their Hon^{rs} assented to, w^{ch} since yo^r arrivall yo^r Excellency haueing perused, were returned to the House of Burgeffes with a Signification of yo^r Excellencies pleasure for some alterations and amendments, w^{ch} this House in great Confidence of a Conclusion of that affaire did with what possible expedition, a business of that nature could regularly admitt, alter, amend and pass accordingly and did Cause them to be new written, and presented to yo^r Excellency together with some ord^{rs} for yo^r Lordships Ratification, some of private, some of publique Concernment, some of both, w^{ch} seeme of Importance as that of the private Causes, Coll *Phill Ludwell*, and *George Lee* for Country Houses, Coll *Potter* and *Cole* of *Accomack* are more especially recommended to yo^r Excellencies Consideration, and for the rest if yo^r Excellency doe please, We are Content to referr to the next session of Assembly, respect had by yo^r Excellency to those Concerning the fforts.

This Assembly hath been of long Continuance, and to be much longer would make the Charge insupportable to the Country, and might be of ill Consequence to y^e Assembly Considering the season and danger of our healths.

The house of Burgeffes doe therefore humbly pray yo^r Excellency that you will please to pass those Lawes that haue been presented to yo^r Excellency, and amended fully according to yo^r Excellencies first proposall, as they now are, together with the Leuy as now stated, w^{ch} will be to y^e unexpressable satisfaction of this House, and to all the Inhabitants of this his Maj^{ties} Collony and Dominion of *Virginia*

Tho: Milner Cl Assembly

The Gent^l returne.

Coll *Bird* againe with the other Gent^l waite upon his Excellency and desire to know in what stile the Lawes shall pass, and desire that a Coppy of the Condemnation of the skins be sent to their House.

The Gent^l. returne.

Ordered that the Clerk Carry a Coppy of the Judgm^t whereby the buck and doe skins w^{ch} *John Herbert* shipt on Boord the ship *Dolphin* were Condemned, as likewise the foll. paper

Decemb^r 20 1682

By his Excellency

The Stile of Authority to be in the Acts *Viz^t Be it enacted by y^e Gouvern^r Councill and Burgeffes of this Gen^l Assembly*

Tho: Culpeper.

December

Decemb^r 21th 1682

MR *W^m Fitzhugh*, and *Mr Christopher Robinson* waite upon his Excellency, and desire that a paper lately sent be amended.

Coll Allerton, *Coll Lear*, and some other Members present y^e following Message.

Decemb^r 21th 1682

To his Excellency & Councill

The humble answer of the house of Burgeffes to the severall propofalls of the 19th & 20th Instant.

To y^e first

Agreed, that this be entituled *an Additionall Act*, according as is propofed.

To y^e second

We are of Opinion that the Houfe of Burgeffes haue Competent knowledge as well of the inclinations as abilities of the People, of the first they are well assured, they are more willing to depart with what is now affest then to be in expectance of Arreares. Suppofeing that the following yeares will be Chargeable enough of themfelues, and as for their abilities, if the whole cannot be had intire in tobacco, they will yet be Content to pay in fuch things as they haue, besides this forbearance of one halfe to be paid hereafter will be a difappointment of the present Country Creditors, and that like retrospection may here be juftly objected, as sometime this present fession was opposed by y^e Hon^{ble} Councill to a Bill lately before them, and for fuch rejected.

To the third

We find that the fetling of a Leuy one yeare to be Collected the next is unequall, fo long as we are to proportion it by y^e pole for y^e Number of Tythables in the Counties alter euery yeare some in the decrease, others increafeing, then the anticipating of a Leuy by a known sum will be of fuch Confequence among the people, that what with that & a greater, w^{ch} they may expect & feare another yeare added together will difpofe many families and young ffreemen to remoue themfelues into the Neighbouring Govern^{ts} and discourage others from comeing to us, as is already experienced, and when we fhall fee how these Soldiers defigne to be employed by this Law, fhall difcharge themfelues of the duties expected from them, it will be then time enough to Continue their payment, besides it may be added that we haue late & fad Instances, what the anticipation of Leuies haue produced.

To the fourth

That this Act was originally designed to be temporary, and is now actually done for three yeares.

To the fifth

It hath been a proposition from most or all y^e Counties in y^e Country to haue y^e forces as they were establihed by an Act in 1680 disbanded, being found extreamly Chargeable, and did not anfwere the expectation was had of them. and if these now be employed fhall also be found to be of noe more use, fucceeding Affemblies may be ready to take fuch other meafures as his Maj^{ty} fhall direct, or y^e exigency of the Country require, and whereas in this proposition y^e word fforts is mentioned, it is to be Noted they were neuer other then the Shadowes of fuch. being onely flight *Virginia* Houfes to fhelter men from the weather, about some of which are onely some rotten Pallifadoes remaining if these reasons doe not fatisfie yo^r Excellency this Houfe is Content that the Act of 1680 fhall stand Repealed by the Act now made for three yeares, and after till his Maj^{ties} pleasure signified to the Contrary.

To the sixth

Agreed, that it continue three yeares, and from thence to the end of the next fession of y^e Gen^l Affembly.

To the Allowance of fix thoufand pounds of tobacco to Maj^r *Beverly* we fay that his Excellency being here in 1680 *Mr Beverly* was restored, att the interceffion of y^e Hon^{ble} Councill and Houfe of Burgeffes, and was then allowed his Sallery as Clerk of the
Affembly

Affembly, and att the Convention in *Aprill* laſt and fometime after ſtood *rectus in Curia*, and this houſe did think he did deferue for his ſervices done within thoſe times twenty thouſand pounds of tobacco, and accordingly repreſented The ſame to the R^t Hon^{ble} y^e L^t Gouvern^r & Councill, who were pleaſed to think it reaſonable, he ſhould be allowed the ſaid fix thouſand p^{ds} of tobacco in this preſent Leuy, with a Reference of the reſt to y^e Conſideraçon of y^e next Affembly as by their Hon^{rs} meſſage of y^e 16th Instant, & thus it ſtands in the preſent Leuy by their Hon^{rs} Conſent, and ſo p^{ro}portioned.

As for y^e Attorney Gen^l this houſe hath fully answered y^t propoſition by their reſolue of y^e 13th Instant preſented to y^e Hon^{ble} L^t Gouvern^r and Councill.

To the Reference of Priuate Cauſes as it ſtands on both y^e Journalls, we pray yo^r Excellencies Concurrence, and as for all other the orders, they are now ready drawn up, & ſetled, in ſuch forme and Mañer, as things of y^e like nature hath heretofore in former Affemblyes been done. and moſt of them of Courſe, but if it be not yo^r Excellencies pleaſure now to Ratifie them (together with the Lawes) as uſual, this Houſe doth ſubmitt, and ſhall Conſent, that they ſtand referred by a Gen^l order to the next ſeſſion of Affembly

Tho: Milner Clerk of Affembly

The anſwer followes

December 21th 1682

By his Excellency

Mr Speaker and Gent^ls. of the Houſe of Burgeſſes

To the firſt

Agreed that that A^{ct} be Intituled *an A^{ct} impoſeing further poenalties upon any Perſon or Perſons that ſhall Publiſh or Declare that the A^{cts} of Affembly of Virginia are not of force.*

And that the following words be infered in the foot of the Law w^{ch} ſaid' penalties are to be added and Impoſed ouer and beſides all other puniſhments that may be legally inflicted upon ſuch offenders.

To the ſecond

Though I am not att all Convinced by yo^r reaſons, yet in regard this Affembly hath ſate ſo long allready, and that the Charge (which is Chiefly deſigned to be auoided) would be encreaſed by any further debates thereupon, I doe for this time Condeſcend and agree to it.

To the third

Though yo^r reaſons are not ſatisfactory or allowed & that it is not Conſonant to the practice uſuall in ſuch caſes, yet For the Reaſons aboue mentioned I doe Agree.

To the fourth

Agreed, ſo it be for three yeares onely

To y^e fifth

Provided the A^{ct} for y^e 20 ſoldiers be for three yeares I conſent the A^{ct} for the efforts be Repealed for three yeares under his Maj^{ties} good likeing and after till his Majeſties pleaſure ſhall be ſignified to y^e Contrary.

To y^e fixth I agree for three yeares onely.

That in Regard of the particular ſtri^{ct} orders I haue about Mr Rob^t Beverley, and that matters relateing to him are not yet determined, I ſhall not agree to any thing that may in the leaſt Countenance him and though there are legall meanes enough to puniſh the perſons concerned in the late Infurrection in deſtroying of Plants, and their abettors, and preſerve the Dignity of the Gouvernement, to y^e end all euill minded perſons may be deterred from the like for y^e future yet it will be much obſerved in *England*, that in all this time, there hath been noe Conſideration thereof in this Affembly, and therefore it will be beſt in all Reſpects, that there be now noe more mention of his particular Caſe.

To y^e eighth

That about the Attorney Gen^l I conſented it be referred to the next Affembly.

As to the laſt, all Priuate Cauſes debated & undetermined this ſeſſions of Affembly, I agree that they ſtand referred to the next Affembly.

Tho: Culpeper.

December

December 21th 1682

To his Excellency

May it please yo^r Excellency

For that noe private Cause hath been in debate this session of Assembly, The House of Burgeffes doe humbly pray yo^r Excellency that you would please the last Article in yo^r message to this house, whether it doth extend to priuate Causes, and other matters undetermined this Assembly.

Tho: Milner Cl of Assembly

The answere followes

December y^e 21th 1682

By his Excellency

Noe Cause can be supposed to be Dismissed any Court, till the same be determined by some Judgment of that Court and therefore I conceiue all Causes of Courte remaine referred, and so noe need of any particular reference at all, besides I find it in y^e Journall of the Councill this particularly provided for, howeuer (for dispatch sake) I haue agreed to y^e Gen^l termes expresse in the other paper.

Tho: Culpeper.

Maj^r Arthur Allen and other Gent^l. desire his Excellencies Order, that the skins seized and condemned be disposed of as the Law Requires.

The Order followes

December 21th 1682

By his Excellency

Whereas there were severall Buck and Doe skins ship'd on Boord the ship *Dolphin*, in order to be exported out of this Country, Contrary to Law, and the said skins haueing been seized, and condemned, and being in the hands of Coll W^m Cole his Maj^{ties} Collector of the upper District of James Riuer, the one halfe part whereof doth by Law belong to the Informer. *I doe therefore hereby order and direct* the said Coll W^m Cole to deliuer the one halfe of the said skins to the Informer or Informers according to the directions of the order, by w^{ch} the same are condemned Given under my hand this 21th of December 1682

Tho: Culpeper.

Friday y^e 22th Decemb^r 1682

MR Thomas Clayton and other Members present the foll. Message

Mr Tho Clayton Mr Edward Reuel, Mr Baldwin Shepherd and Mr Henry Awbery are Nominated by the House of Burgeffes in the behalfe of themselves and the whole Country to receiue from Coll W^m Cole Collector of the Upper District of James Riuer the Moiety of thirteene hundred thirty three skins condemned by Judgment of the R^t Hon^{ble} the L^t Gouvern^r and Councill according to his Excellencies Order this day, and they are hereby Impowered to giue a Receipt for the same

Tho: Milner Cl Assembly

Mr W^m Fitzhugh and Mr Christopher Robinson waite upon his Excellency and acquaint him that the Lawes are Ready and amended as proposed.

Ordered that the Clerk acquaint the House of Burgeffes that his Excellency expects their immediate attendance on him and the Councill in the Court house.

The Clerk Returnes

His Excellency and the Councill Repaire to the Court house.

Mr Speaker and the House of Burgeffes waite upon his Excellency in the Court house.

His Excellency Commands the Lawes to be read.

The Lawes being read and subscribed by his Excellency and the Speaker. His Excellency diffolues the Assembly in the following words.

His

His Excellencies Speech.

I think fitt to lett you know before We part, that his Maj^{ties} Refentment ag^t the late infurrections and Comotions by the deftroiers of tobacco plants, & their Abettors was fo great, that I had his efpeciall Comands, not to call any Affembly att all, till the Dignity of the Gouvernment fhould be firft afferted by the punifhment of the offenders according to Law not fo much to value my felfe to you in my Condefcending to thofe A^cts that I found Agreed to, att my arrivall, with thofe alterations I thought neceffary as that fince you haue omitted the makeing a Law both for the future prevention thereof, and the rendring it yet more poenal if poffible, you fhould att leaft till that can be done, fhew yo^r Indignation And Deteftation thereof to the Inhabitants of yo^r feveral Counties whither you are now returning, that done and fuch other Comands as I haue from his Maj^{ty} being performed, I fhall hope to fee another Affembly, when the Charge of this Extreame long one fhall be paid, and the Country in a Condi^cion to fupport the Expence of it, and foe in his Maj^{ties} name I diffolve this Gen^{ral} Affembly, and this Affembly is hereby diffolved.

A True Copy Examined by

Nicho: Spencer Sec^{ry}

ATT A

GENERAL ASSEMBLY

begun att *James Citty* y^e first day of *October*, in y^e yeare of Our Lord God, one thousand six hundred, eighty and five, and in y^e first yeare of y^e reigne of *James* y^e second, of *England, Scotland, France, Ireland* and *Virginia* King, and from thence prorogued to ye second day of *November* following.

Att A Generall Affembly begun att *James Citty* y^e first day of *October*, in y^e yeare of Our Lord God, one thousand six hundred, eighty and five, and in y^e first yeare of y^e reigne of *James* y^e second, of *England, Scotland, France, Ireland* and *Virginia* King, and from thence prorogued to y^e second day of *November* following.

Die Jouis primo Octobris

MR President *Bacon* & severall others of the Councel mett

Die Saturni 3^o 8bris

ORDERED, that the Clerk of y^e General Affembly goe to y^e house of Burgeffes and acquaint them, that y^e Councel are fitting in y^e Court House, and require y^e Burgeffes immediately to attend them.

The Clerk returnes with answer, that y^e Burgeffes would immediately waite on y^e Councel.

The Burgeffes attend y^e Councel

Vpon which y^e Councel ordered y^e following Instrument to be read by y^e Clerk of y^e General Affembly.

Virg^o fs.

By His Excellency

Whereas by y^e advice of his Maj^{ties} Councel of this Colony, by my writt bearing date the tenth day of *July* 1685, I have ordered & appointed a General Affembly to convene att *James Citty* on y^e first of this instant; And *whereas* It hath pleased Almighty God, to visit me with a uery uiolent sicknesse, w^{ch} alltogether renders me incapable of taking a Journey to *James Citty*; and *whereas* such matters of moment are to be treated on, w^{ch} require my presence; and y^e Burgeffes being now mett according to y^e tenor of y^e aforesaid writs att *James Citty*; I doe therefore hereby, in his Maj^{ties} name, prorogue y^e aforesaid Burgeffes, until y^e second day of *November*, att w^{ch} time and place aforesaid, I doe hereby order & appoint y^e aforesaid Burgeffes returned elected by vertue of y^e afores^d writs, to meet me and y^e Councel: Given under by hand and y^e seale of y^e Colony this third day of *October* 1685 Annoqu Regni Regis Jacobi secundi primo

Effingham

Die Lunæ 2^{do} 9bris

HIS Excellency y^e Lord *Howard* of *Effingham* Govern^r and general of [and] y^e Councel meet, in order to hold a General Affembly.

Ordered, y^t y^e Clerke of y^e Generall Affembly goe to as many Burgeffes, as are in Towne, and signifye unto them, that this is y^e day unto which his Excellency prorogued y^e Burgeffes, and therefore It is his Excellencies Command, that they repair to y^e ftate house, and that they signifye unto His Excellency, what number
of

of Burgeffes are mett in Towne, that he may be fatisfied, whether there be a fufficient number to make election of a fpeaker, and that they adjourne to y^e morrow morning.

The Clerk returnes with anfwer, that there are twenty three Burgeffes mett in y^e ftate houle, and withal, that he received an Inftruction from y^e Burgeffes to fignifye unto his Excellency, that they were of opinion, that they had not authority fufficient to adjourne themfelves, being neither a houle, nor having a Speaker, and that therefore they waite his Excellencies further Commands.

Ordered, that y^e Clerk of y^e General Affembly doe goe to y^e ftate houle and fignifye to y^e Burgeffes, that it is his Excellencies pleafure, and that his Excellency doth prorogue y^e Burgeffes to nine of y^e Clock on the morrow morning, and that att ten of y^e Clock they waite on him.

Die Martis 9bris 3o

THE Burgeffes attend his Excellency and Councel, and are ordered to returne to their houle, and to proceed to y^e election of their Speaker.

Die mercurii 4o 9bris

COLL Ballard, Mr Hen: Jenkins, with feven other Burgeffes waite on his Excellency and Councel, and fignifye that they have made choice of a Speaker.

His Excellency returnes anfwer, that when he is advifed, y^e Burgeffes are mett in y^e afternoon, he will order their attendance on him.

Post meridiem

HIS Excellency and Councel goe to y^e Court houle, where being fett *It was ordered*, that y^e Clerk of y^e Generall Affembly fhould goe to y^e Burgeffes and fignifye unto them, that it was his Excellencies pleafure, that they fhould attend him and y^e Councel immediately in y^e Court houle.

The Burgeffes attend his Excellency and y^e Councel in y^e Court houle and prefent Col W^m Kendal for their Speaker, who being approved of, made y^e ufual petitions in y^e behalfe of himfelfe and houle of Burgeffes, w^{ch} were granted, after which his Excellency made y^e following Speech.

Mr Speaker and Gentlemen of y^e houle of Burgeffes.

I have not much att prefent to propound to you from his Maj^{ty} but that little I have, is too much for my weak memory, to retaine; being too much impaired by my late ilneffe, therefore muft make ufe of my paper.

But what I fhall propofe to you att prefent is, what was deferred by y^e defire of y^e laft Affembly to this, and what I have his Majefties particular Commands for, that you will prepare a Law, whereby all County Courts and Parifhes may have noe power to make Bye-Lawes obligatory within their Counties and Parifhes, till firft approved of by his Maj^{ties} Govern^r and Councel.

Farther *Gentlemen*, in y^e perufing y^e Lawes I have obferved in very many of them, that fines and forfeitures are to be accounted for to y^e Publique (as then foe termed) a name certainly moft odious under a Regal Governm^t and that w^{ch} doth in name, foe in confequence, but little differ from that deteftable one (Republick) w^{ch} I am very much perfuaded you all foe realy abhor, that you will remove any thing, w^{ch} in y^e leaft relates to it; therefore I recommend to you, that all thofe Claufes in thofe feveral Lawes may be repealed, and a Law paffed, that all fines and forfeitures for y^e future be appropriated to his Maj^{ties} ufe for y^e benefit of this his Maj^{ties} Dominion.

I can now acquaint you, Mr *Speaker*, that Col^l *Byrd*, whom I sent with some of our Indians this summer to *Albany* to ratifye y^e Peace with those Northerne Indians last year concluded by me, is returned and hath received full assurance, that it shall be kept by them inviolable; that quiet y^e frontiers have enjoyed, since my being there, was a motive to me to comply with that Article, w^{ch} they soe infisted on, in sending our Indians to compleat it, and though this hath been some charge att present, yet I suppose you may easily find an expedient in a short time to be reimbursd.

I have observed, Mr *Speaker*, that since y^e additional duty hath been laid on Tobaccos, many seem to be discouraged, either from shipping their present Crops, or planting any for y^e future. I cannot but wonder at their cautious, or rather, peevish temper, for if they consider his Majesties gracious disposition, towards all his dutiful subjects, they might rest assured, that nothing will be acted to y^e disadvantage of this his Maj^{ties} soe considerable a Dominion w^{ch} his sacred Maj^{ty} has vouchsafed to signifye in a letter to me, w^{ch} shall be communicated to you: his Maj^{ties} peaceable accession to his rightfull Throne hath given all good people an happy prospect of his prosperous and glorious reigne, especially when seconded by such signal demonstrations of y^e Almightyes care and protection over him, in giving him such happy victories ag^t his Enemies and bringing those notorious Rebels soe Speedily to condigne punishment, for w^{ch} soe great mercies, I hope, wee shall throughout y^e whole Colony, y^e next *Sunday*, offer up all our cordial praises and thanksgivings; Therefore, Mr *Speaker* and you *Gentlemen of the house of Burgeses*, I speak to you as y^e representatives from all parts; I should be ashamed, should this prove y^e least discouragement to any, but rather a motive to all good subjects to be more vigorous in that employ, especially when reaped soe plentifully againe in y^e Glory of y^e Crown and hon^r and safety of y^r nation.

As to those affaires, w^{ch} may conduce to y^e advantage of y^r Country, you are better Judges, than I; therefore shall leave them to y^r consideration, and only give you the assurance, that I shall be very ready to comply with whatever may contribute to it.

His Excellency having ended his Speech, ordered his Maj^{ties} most gracious letter bearing date y^e 26th of *June* 1685 to be read; as likewise the Articles of Peace ratified by y^e Hon^{ble} Col *W^m Byrd* agent for this Colony, with y^e *Seneca, Maquase, Oneydes, Coyouges, & Onnondages* Indians att *Albany* on y^e day of 1685

Die Jouis 9bris 5to

COL *Thomas Ballard*, Col *W^m Loyd*, and six other Burgeses waite on his Excellency, and on y^e behalfe of their house humbly supplicate his Excellency to assigne Council to swear the respective members of this Assembly, as likewise to issue a new writt directed to y^e sheriffe of *Middlesex* County, for y^e election of another Burgesse in y^e place of Maj^r *Robert Beverley*, who being elected clerk of y^e house of Burgeses is thereby rendered incapable to serve as a Burgesse.

His Excellency thereupon ordered y^e following Commiffion to be drawn.
Virginia fs:

By his Excellency

I doe hereby nominate, order and appoint Col *W^m Cole* and Col *John Lear* two of his Majesties Council of State in this Colony to administer y^e oathes of Allegiance and Supremacy, as likewise the oath of a Burgesse to every individual member of this Assembly; Given under my hand and y^e seale of y^e Colony this fifth day of *November*, in y^e yeare of our Lord God one thousand, six hundred, eighty and five, and in y^e first year of his Maj^{ties} reigne

Effingham

Die

Die Veneris 6^{to} 9bris

COL *W^m Cole* and Col *John Lear* goe to y^e houle of Burgeffes and adminifter y^e oathes of Allegiance and Supremacy, as likewise y^e oath of a Burgeffe to every member present in y^e ftate houle

Die Saturni 7^{mo} 9bris

CAPT *W^m Robinson* and other Burgeffes bring y^e following meffage
November 7th 1685.

By y^e House of Burgeffes

Cap^t *W^m Robinson*, Mr *W^m Randolph*, Mr *Joⁿ Brasseur*, Capt *John Custis*, Capt: *John Smith*, Maj^r *Samuel Swan* are appointed by this houle to waite upon his Excellency, and to request, his Excellency will please to assigne Councel to adminifter y^e ufual oathes to y^e remaining Burgeffes yet unfworne; as alsoe to adminifter y^e ufual oaths to *Robert Beverley* their Clerk; and further to entreat his Excellencies favour to this houle in fending them his Maj^{ties} most gracious letter, for their perusal, and for a copy of his Excellencies Speech made to them on *wednesday* laft.

Test Robert Beverley Cⁱ Aff^{bly}

His Excellency acquaints y^e Burgeffes, w^{ch} presented y^e former paper, that one of y^e Councel being absent, w^{ch} he Commiffionated to fwear y^e houle of Burgeffes, he will appoint one other in his room, provided y^e House of Burgeffes fitt in y^e afternoon, and that he will suddenly fend to their houle his Majesties most Gracious letter and a Copy of his own Speech, w^{ch} his Excellency accordingly did.

The Gentlemen return

Capt: *Robinson* and five other Burgeffes waite upon His Excellency and Councel, and signifye that y^e houle of Burgeffes have adjourned until nine of y^e Clock on *monday* morning.

The Gentlemen return

Die Lunæ 9^o 9bris 1685

MR *John Brasseur* with five other Burgeffes waite upon his Ex^{ty} and Councel and present y^e following meffage

November 9th 1685

By y^e House of Burgeffes

Mr *Joⁿ Brasseur*, Col *Arthur Smith*, Capt: *John Smith* Mr *W^m Wilson*, Mr *Tho: Lear* Capt: *John Custis* Are appointed by this houle to request his Excellency to assigne Councel to give y^e ufual oaths to y^e remaining Burgeffes yet unfworne, and that his Excellency will alsoe please to direct thofe Councillors to adminifter y^e ufual oaths to *Robert Beverley* their Clerk.

Test Rob^t Beverley Ck Aff^{bly}

His Excellency acquaints y^e Burgeffes, that Councel fhall be forthwith assigned to fwear y^e remaining Burgeffes, yet unfworne, as likewise their Clerk

The Burgeffes returne

Ordered, that y^e Clerk of y^e General Affembly goe to y^e houle of Burgeffes and present to Mr *Speaker* his Maj^{ties} letter of y^e 26th of *June* 1685, as likewise a copy of his Excellency's Speech.

Col *W^m Cole* and Col *John Lear* having received from his Excellency y^e following Commiffion, goe to y^e houle of Burgeffes, and fwear y^e Burgeffes yet unfworne, as likewise y^e Clerk of y^e houle of Burgeffes.

By

By his Excellency

I doe hereby nominate, order and appoint Col *W^m Cole* & Col *Jo^m Lear* two of his Maj^{ties} Council of ftate in this Colony to adminifter y^e oaths of Allegiance and fupremacy, as likewife y^e oath of Clerk of y^e Affembly to Maj^r *Robert Beverley*; Given under my hand and y^e feale of y^e Colony this ninth day of *November 1685*, and in y^e firft year of his Maj^{ties} reigne.

*Effingham**Die Martis 9^{ber} 10^{mo} 1685*

LT COL *Arthur Smith* and three other Burgeffes waite on his Ex^{cy} and preſent y^e following meſſage

*November 10th 1685**By y^e houſe of Burgeffes*

L^t Col *Arthur Smith*, M^r *Tho: Cheefeman*, Capt: *Henry Batts*, M^r *Hen: Applewhaite* are appointed to waite upon his Excellency, and requeſt y^e favour of Council to adminiſter y^e ufual oaths to y^e Burgeffes yet unfworne.

Teſt Robert Beverley Clk Aff^{bly}

Ordered, that Col *W^m Cole* and Col *John Lear* goe to ye houſe of Burgeffes and fwear y^e Burgeffes yet unfworne.

November 11th 1685

ORDERED, that y^e Clerk goe to y^e houſe of Burgeffes and acquaint M^r *Speaker* and y^e Houſe, that his Excellency commands their attendance on him and y^e Council, in y^e Council Chamber

M^r *Speaker* and y^e reſt of y^e Burgeffes attend.

His Excellency acquaints them, that by reading of ye former Journals he finds, that their houſe have not obſerved y^e method as formerly in giving y^e Gover^{nr} and Council an account of y^e going out of their Committees, and who are Chairemen thereof; as likewife that he finds y^e Committee of Claimes have ejectioned y^e Claime made by Capt: *Davis* y^e Sheriffe of *North Carolina*, for ſervices done for *Virginia*, as likewife y^e Claime made by Capt: *Tho: Goodwin* Sheriffe of *Nanzemond County*, who was employed for y^e ſervice mentioned in his Claime, by his Excellency and Council, and therefore needed not to have his account proved in y^e County Court, w^{ch} his Excellency deſires, their houſe would take into their confideration & return to their houſe, y^e better to confider of it.

M^r *Speaker* and y^e houſe return.

November 12th 1685

CAPT: *W^m Robinson &c* brings y^e following meſſage

*Thurſday November 12th 1685**By y^e houſe of Burgeffes*

Capt: *W^m Robinson*, M^r *Richd Whittaker*, Maj^r *Jo^m Stith*, M^r *Thomas Barber*, Capt: *Lawrence Wafington*, M^r *Humphry Harwood* & M^r *Tho: Lear*, are appointed by this houſe forthwith to wait upon his Excellency and preſent him with this humble anſwer from y^e houſe, to what his Excellency yeſterday was pleaſed to declare to their Speaker & to pray his Excellency will accept the ſame as a full and true anſwer thereof.

Teſt Robert Beverley Clerk Aff^{bly}

That

That ye house of Burgeffes alwaies are desirous to satisfye all such just Claimes, as shall come before them, and because y^e noe person demanding any such Claimes might loofe his just right for want of knowledge, how to bring them before them, did in y^e Affembly held att *Middle Plantation* O^ct^ober 10th 1677 make a publick order (a copy whereof is herewith presented) fully in that directing such a method, as whosoever pursued it, could not faile of being allowed his Claimes; and whereas they are soe farr from discouraging any neighbour, from y^e service of this Country by y^e slight regard thereof, that they are as willing altogether to reward and answer them in their just Claimes, as they are y^e Inhabitants of this Country, yet they humbly conceive, that all persons are equally obliged to make their Claimes appear by such waies & methods, as in y^e aforefaid order is provided; The which rules M^r *Goddin* Sheriffe of *Nanzemond*, and M^r *Davis* of *Carolina*, as not failing to use, as to make any other Satisfaction of their Claimes being due, to y^e Committee appointed for examination of all Claimes, y^e House of Burgeffes humbly conceive, they had just reason to disallow and eject them.

And that whereas It was heretofore usual & customary for y^e house to signifye to y^e Govern^r when any Committees were appointed by y^e house, yet it was never done, but when they made their addressees for Council to be assigned to sit with them; and that since It has pleased y^e Govern^r to put a stop to that practice, they humbly conceive, y^e cause and sole end being wholly removed, that they need not put y^e Excellency to soe much trouble, as y^e tedious presentment of every Committee must needs create.

Test Robert Beverley Clk Aff^{bly}

The ord^r of Affembly followes

Att a Grand Affembly begun att *Middle Plantation* att ye House of Capt: *Otho Thorp* y^e 10th of O^ct^ober Anno Domⁱ 1677.

Ordered, that such accounts as are brought ag^t y^e Publick for prooffe to the County Courts for y^e time to come, that y^e true Cofts, and full value of all such things, as are therein contained, be alsoe made out, att y^e same Courts, either by evidence or y^e oath of y^e Claimer, and y^e like for all provisions expended for Publick use, and such valuation and accounts, as shall Come soe returned, shall be allowed by y^e Publick, without abatement: and all just accounts and claimes, w^{ch} come too late this Affembly to be examined by y^e Committee, and alsoe all such, as are yet to be made, stand referred to ye examination and allowance of y^e next Affembly.

Copia Vera

9^{ber} 12th 1685

Test Robert Beverley Clk Aff^{bly}

The Gentlemen return

The Clerk carries y^e following message in answer to y^e laft.

By his Excellency.

In Answer to what was presented to me by y^e house of Burgeffes I make this return, that I think, y^e order w^{ch} you Specifye, made att *Middle Plantation*, was grounded upon due consideration, in regard it obliges every person to make his claime appear either by oath or evidence, and soe prevents y^e bringing in extravagant accounts, but y^e method not soe proper, being only by order of Affembly, therefore myfelfe & Council recommend to you, that that order be passed into an Act, with such limitations and conditions, as shall be thought fitt and necessary, but doe not judge, that y^e order does in any waies comprehend any claimes, made by our neighbouring Colonies for services done to *Virginia*, therefore I expect y^e Claime made by the officer of *North Carolina* be allowed.

And as to y^r answer to my demand concerning y^r Committees, I allow it as full and satisfactory

9^{ber} 12th 1685

Effingham

November

November 13th 1685

COL *Lemuel Mafon* &c come to his Excellency & present the following message
Fryday November 13th 1685.

By y^e House of Burgeffes

Col *Lemuel Mafon*. Col *John West*, Capt: *W^m Robinson* Maj: *Jo^s Stith* Mr *W^m Anderson*, Col *Arthur Smith*, Mr *Richd Whittaker*, Mr *Tho: Cheefeman*, Mr *Tho: Lear*, Mr *Hen: Applewhaite*, Mr *Humphry Harwood*, Mr *John Brasseur*, Capt: *W^m Ball*, Capt: *David ffox*, Capt: *Law: Washington* and Mr *Xpher Neale* Are appointed by this house to signifye to his Excellency, that by y^e opportunity of Cap^t *Wynns* ship, this house conceive it an incumbent duty upon them to make their humble addressees to his Majesty, w^{ch} in some part they have prepared, and that it is their humble desires to his Excellency and to the Hon^{ble} Council of State, that they will please to joine with them, in such addresse, w^{ch} that they may know the house of Burgeffes have ordered them to present to his Excellencies and their Hon^{rs} view, what they have already done therein, and humbly pray their concurrence and directions, how ye same shall be ftilled, directed, amended & concluded.

Test Robert Beverley Clk Aff^{bly}

The addresse read, feriously considered, and some amendments being resolved on, y^e following return was ordered, w^{ch} was carried by y^e Clerk of y^e General Assembly.

By his Excellency

Mr Speaker and Gentlemen of y^e house of Burgeffes.

I have even now received an addresse from yr: house to his most Sacred Majesty, concerning the late Imposition upon Tobaccos; I desire some members of y^e house may be appointed to hold a conference about y^e same, with Col *W^m Cole*, *Ralph Wormeley* Esq^r, Col *Rich^d Lee* and Col *John Page*, fouer of his Majesties Council of this Colony, whom I have assigned to mannage it; w^{ch} conference I desire may be forthwith held in Esq^r *Wormeleys* Chamber; but as for myselfe and y^e Councils joining with you in this addresse, I think it needleffe, seeing it comes from you as the representatives of y^e Colony.

9^{ber} 13th 1685

Effingham

The Gentlemen of y^e Council appointed by his Excellency to hold a conference with the Burgeffes return and report, that y^e Committee appointed by y^e house to mannage y^e conference consent to y^e amendments propofed, as likewise that reasons be annexed to y^e addresse,

November 14th 1685

COL *Lemuel Mafon* &c. brings y^e following message
Saturday November 14th 1685

By the House of Burgeffes.

Col *Lemuel Mafon*, Col *Jo^s West*, Col *Arthur Smith*, Capt: *John Custis*, Mr *Tho: Lear*, Capt: *Law: Washington*, Mr *Richd Whittaker*, Capt: *W^m Robinson* are appointed by this house forthwith to acquaint his Ex^{cy} that it is ye humble suit and earnest supplication of this house to his Excellency, that he will please to admit, that y^e Hon^{ble} Council may joine with y^e house of Burgeffes in their necessitous and dutifull addresse to his Majesty relating to the new Impost laid upon Tobaccos & that his Excellency will please to signifye to this house, with his first conveniency, his assent therein, to ye intent such addresse, as becomes them to offer to His Majesty may be prepared and made ready to be sent by Capt: *Wynns* ship now upon failing directly for *England*.

Test Robt Beverley Clk Aff^{bly}

To

To w^{ch} y^e following Answer was fent.

By his Excellency.

Mr Speaker and Gentlemen of ye House of Burgeffes.

I have received y^r humble fuit and earnest request, y^t y^e Hon^{ble} Councel may joine with y^r houle in y^r Addresse to his Majesty, but neither myselfe, nor Councel think it proper, it being humbly offered by you, as the representatives of y^e Colony, therefore I fend you this as my final answer.

November 14th 1685.

Effingham

The Addresse followes

To the Kings Most Excellent Majesty.

The Humble Addresse and Supplication of y^e Burgeffes now Affembled in Virginia on behalfe of themselves, and all ye Commons of y^r Majesties said Dominion

As it is an inexpressible comfort and delight to us y^r Maj^{ties} poor, but most dutiful and obedient subjects to see in y^r Maj^{ties} most Gracious letter to his Excellency ye Lord *Effingham*, yr: Majesties L^t and Govern^r Gen^l of this yr: Dominion, and by him communicated to us, with what Princely favour, y^r Majesty was pleased to receive the tenders of that duty and obedience, wee most rightfully owe to you our Gracious Sovereigne, and w^{ch} we shall at all times, when yr: Maj^{ties} service requires, make good with our lives and fortunes; foe wee want words to expresse our exceeding joy for y^r Majesties so many signal victories over y^r Maj^{ties} most wickedly Rebellious and traiterous subjects, all whom wee with glad and thankfull hearts, understand are deservedly delivered up to Justice, and thereby y^r Maj^{ties} reigne over us established in fure peace, w^{ch} y^e same God, who hath protected y^r sacred person, in all adversities, make long, happy and Glorious.

Y^r Majesties royal favours towards us y^r poor, but most loyal and obedient subjects loudly proclaimes those many gracious inclinations inhaerent in y^r Princely mind, filling us with admiration of y^r royal goodnesse towards us y^r Maj^{ties} poor subjects, signified in y^r Majesties most gracious message to y^r great Councel of Parliam^t by S^r *John Erneley* K^{nt} whereby y^r Majesty was pleased to declare y^r royal intentions, that if y^e additional duty upon our only Commodity Tobacco lately granted to y^r Majesty upon all Tobacco, of y^e growth of this y^r Majestys Dominion should prove destructive to Trade, and too prejudicial to y^r Maj^{ties} Plantations, y^r Maj^{ty} out of y^e princely care of all y^r good subjects would be graciously pleased to dispence with y^e payment of that duty, w^{ch} royal declaration, as it hath with great comfort revived y^e drooping spirits of y^r Maj^{ties} poor, and till then miserable subjects, foe those beams of y^r royal bounty hath emboldned us, with minds full of all loyal & dutiful and obedience to prostrate ourselves att y^r Royal feet, and become humble supplicants to you our most gracious and dread soveraigne, that of y^r accustomed Grace and Goodnesse, y^r Majesty will be graciously pleased to dispence with y^e payment of that duty, which if it continue, will in little time be very ruinous to all y^r Maj^{ties} most dutiful subjects of this y^r Maj^{ties} most auntient Colony and Dominion of *Virginia* (amongst divers others) for these reasons hereunto annexed, w^{ch} wee humbly offer to y^r Maj^{ties} Gracious consideration.

1st It is not above three or fower yeares, since great quantities of Tobacco were sold for lesse, then y^e freight, Custome, and other incident charges amounted to, w^{ch} forced severall persons to desert their own Tobaccos, although for two yeares past y^e smalnesse of our Crops has a little advanced ye price, and thereby in some measure relieved our present necessities, but this new Imposition laid in such a juncture when y^e current price of Tobacco yeilded very little more, than y^e former Custome at two pence ³/₄ pound, with freight &c it must necessarily follow, wee cannot support ourselves under ye burthen thereof.

Secondly, It hinders many ships and adventurers from bringing Goods for y^e supply of our necessities, ye first not daring to hazard their freight on foe low valued a Drug, and y^e last foreseing their impossibility of gaine, w^{ch} alsoe takes off ye employ of several thousand marriners.

Thirdly

Thirdly That ye laft year, y^e poore planter, who haveing foe low prices from y^e merchants here, adventured their fmal quantities of Tobacco for *England* in hopes of a better produce, but by this Impoft (ye planter having noe money of his own to clear it) their Correspondents refufed to take up, clear or engage for it, foe that our bills of Exchange are and will be protefted, our fupplies not returned; and what wee hoped would have fully releived our neceffities, brought us further in debt, and added ye more to our mifery.

Fourthly; The additional duty, if continued will neceffitate ye Inhabitants to contrive other waies to cloth their families, than from *England*, as heretofore they have done, to wit, by following Manufactures here, ye which if it happens, that they cannot performe, they will then be forced to remove themselves and families to other places.

Fifthly That whereas ye Act of Parliament declares ye Impoft to be laid only upon y^e Confumptioner, Shopkeeper, and Retailer, yet wee deplorally find, that this and all other Impositions upon Tobaccos falls upon y^e poore Planter and Importer.

November 16th 1685

COL *Lemuel Mafon* &c wait upon his Excellency & present ye following meffage.
By ye house of Burgeffes,

Monday 9^{ber} 16th 1685

Col *Lemuel Mafon*, Capt: *Joⁿ Custis*, Capt *W^m Robinson*, Capt: *W^m Ball*, Majr *Joⁿ Stiith*, Col *Arthur Smith*, M^r *Tho: Lear*, Capt: *Hen: Batts* Are appointed by this houle to give his Excellency y^e thanks of this houle for y^e great favour of his Excellencies care in y^e tranfmitting their addrefse to his Majefty and to request, his Excellency will please to take upon him ye trouble of a duplicate to fend by ye next conveniency.

Test Rob^t Beverley Clk Aff^{bly}

They are alfoe to request, his Excellency will please to affigne Council for adminiftring y^e ufual oaths to M^r *Matthew Kemp*, a new returned Burgeffe for *Middlefex* County.

Test Rob^t Beverley Clk Aff^{bly}

To w^{ch} his Excellency made anfwer, that he would be alwaies ready to ferve y^e houle of Burgeffes, and that according to their defire, Council fhould be affigned to fwear M^r *Matthew Kemp* a Burgeffe.

The Commiffion followes

By his Excellency

I doe hereby nominate, order and appoint Col *W^m Cole* and Col *Joⁿ Page* two of his Majeftys Council of State in this Colony, to adminifter ye oaths of Allegiance and fupremacy, as likewise ye oath of a Burgeffe to M^r *Matthew Kemp*, who is lately returned a Burgeffe, for *Middlefex* County; Given under my hand and ye feale of ye Colony this 16th day of 9^{ber} 1685

Effingham

November 18th 1685

ORDERED, that ye Clerk of ye General Affembly doe goe to ye houle of Burgeffes and acquaint M^r *Speaker* and ye houle, that his Excellency Commands their Attendance on him and y^e Council, in ye Council Chamber.

M^r *Speaker* and y^e Burgeffes wait on his Excellency and Council & acquaint his Excellency, that it is in obedience to his Commands. Upon w^{ch} his Excellency fpoke as followes

M^r Speaker and Gentlemen of ye house of Burgeffes

What my weakneffe att ye firft meeting of y^r houle rendered me unable to declare to you, I think neceffary to doe now, and I doe it ye fooner, becaufe I hope ye more bufineffe you have to confider of, ye more expeditious you will be, for I cannot without
ffhame

fhame to you, take notice, that you have now latt neer three weeks, and not one bill, as yet, prefented to me; but indeed I cannot well expect it otherwife, when I obferve your houfe not to fitt till eleven in y^e morning, nor till five in y^e afternoon, but I hope, you will remedye it for ye future, elfe I tell you plainly, I muft, according to his Maj^{ties} comānds to me, and in purfuance of thofe, I acquaint you, that it is his Maj^{ties} defire, that an houfe be built fit for his Govern^r to refide in; ye laft feffions, I was fuch a ftranger to ye Countrey, that I could not then determine y^e propereft place, but being now better acquainted, I judge it moft convenient to be built on y^e Govern^{rs} land, w^{ch} I defire you to confider of, and that a model of it be prepared to be prefented to his Majefty, for his Maj^{ties} approbation.

I muft remind you likewife of what was omitted ye laft Affembly, w^{ch} truly I could not imagine would, fince it was foe particularly commanded by his Majefty, that a Law may paffe, whereby His Majefties Govern^r with y^e advice of ye Councel may be impowered to lay a leavy, not exceeding twenty or twenty five [£] pole, to defray ye incident charges of y^e Governm^t: I am fure, there is not any of you, but are fenfible how great an eafe this will be, to every perfon, ye charges of an Affembly foe highly encreafing ye leavy, efpecially as they are of late prolonged; but M^r *Speaker*, I would not be underftood (as fome perfons are too apt to judge) that by this method, Affemblies will be thought ufeleffe, but fhall be ready to give an affurance to call them fucceffively in fome reafonable time, his Majefty having noe other end in this his defire, but ye eafe and advantage of his fubjects

I have M^r *Speaker*, fomething further to propound to you, from myfelfe and Council, w^{ch} is this, I doe intend forthwith to raife twenty fouer men for ye fafety of y^e Governm^t w^{ch} fhall be paid out of his Majefties revenue, but they being foe fmal a force to refift any Commotion, what is defired of you is, that there may be twenty fouer more raifed with Officers, and ye halfe charges of ye whole may be paid by ye Country: I will make it my care, that they may be quartered foe commodious and foe neer me, that they may be ready to fuppreffe any diforder att ye firft, or to fend to y^e heads of ye rivers upon any Alarum of ye Indians; truly ye unruey tongues of fome of y^e Commonalty in many places of this Colony have late foe palpably demonftrated ye wickedneffe of their hearts, that it hath made this method feem to me and ye Councel, and doe not queftion, but it will to you, abfolutely neceffary, therefore I promife to myfelfe y^r ready & chearfull compliance, it being foe induceing to ye fafety and honour of this his Maj^{ties} Dominion.

November 19th 1685

COL *Lemuel Mafon* &c come into ye Councel Chamber & p^{re}sent his Excellency with ye following meffage.

November 19th 1685

By the Houfe of Burgefles

Col *Lem: Mafon*, Col *Jo^s West*, M^r *Tho: Cheefeman*, Capt: *Law: Wafington*, Maj^r *John Stith*, Capt: *Peter Knight*, M^r *Tho: Barber* & M^r *W^m Anderson* are appointed by this houfe to p^{re}sent to his Excellency y^e addrefle about y^e Quitrents, they are alfoe appointed to requeft his Excellency, from this houfe, y^e favour of a Copy of his Excellencies Speech made to them yefterday, to y^e end all due regard may be had thereto, & anfwer made according to ye weight thereof.

They are alfoe appointed to requeft his Excellencies favour to appoint Councel to adminifter y^e accuftomary oaths to Maj^r *Sam^l Weldon* one of their Burgefles, whom fickneffe hath hitherto kept abfent from this houfe, and to fignifie to his Excellency, that too morrow this houfe will be in a readineffe to p^{re}sent his Excellency and Councel with two or three bills for Lawes.

Teft Rob^t Beverley Clk Aff^{bly}

The

The Addresse about y^e Quitrents follows.

To his Excellency Francis Lord Howard, Baron of Effingham His Maj^{ties} Leiuutenant and Govern^r General of Virg^a

The house of Burgeffes now affembled att James Citty

Humbly present

That for many yeares before ye happy reftauration of his late Ma^{ty} of bleffed memory, and fince fuch his happy reftauration by a Law of this Country made Anno 1678, even to this day, y^e Quitrents due to his Majefty for all lands in this his Maj^{ties} Colony and Dominion of Virg^a have been paid and accepted in Tobaccos Att ye rate of two pence ʒ pound; and y^r Excellency ye laft April General Court having been pleafed publickly to fignifye, that for y^e time to come (according to his Maj^{ties} Inftuctions to y^r Excellency) y^r Excellency would command and expect y^e fame fhould this year and hereafter be paid in Currant *English* money, according to ye tenor, and att ye time and dayes mentioned in all Pattents for lands.

And y^e Inhabitants of this Countrey not being poffibly able foe to doe, there being noe Specificall money in this Countrey, nor poffibility of fuch to be procured from *England*, his Maj^{ties} Lawes prohibiting y^e transportation thereof, they have under ye deep fence of fuch difficulty moft humbly moved for their refpective Counties, that y^r Excellency be entreated by an humble Addresse to permit and grant, y^t ye Quitrents due for all lands be paid and difcharged by Tobaccos att ye prices & rates as formerly.

This Houfe doe therefore in y^e names of themfelves and all y^e freeholders of this his Majefties Dominion humbly pray y^r Excellency, that the Quitrents may continue to be paid and difcharged by Tobaccos as formerly, it being not only ruinous, but utterly impoffible to make payment thereof in Specificall moneys, as y^e Pattents provide.

And as in duty bound, they fhall ever pray &c

To w^{ch} his Excellency returned ye following anfwer in writing on ye 20th of 9^{ber} 1685.

By his Excellency

M^r Speaker

I have received an addresse from y^r houfe, that I would permit & allow ye Quitrents due to his Majefty, for all lands holden of his Majefty, in this his Colony and Dominion of *Virginia*, to be paid in Tobaccos, as formerly, by reafon of y^e great difficulty, you alledge in fatisfying them in money, though that be ye conditions of y^r Pattents, and his Majefties particular Commands to me, either of which had you confidered, as you ought, certainly you could have had no pretence, for fuch an addresse; and indeed I was concerned to receive fuch an one from you, when y^e Crown hath been att foe great expence and charge to redeem them from ye hands of a Proprietor, folely to appropriate them to the benefit & advantage of this Colony; I did much rather expect y^r humble thanks to his fared Majefty, that he hath foe long forborne his juft dues, than that you fhould make ye leaft exception, he now requires it.

And as to what you inftance, that there is a Law, by w^{ch} ye Quitrents have been payable in Tobaccos att two pence ʒ pound, I conceive you mifunderftand it, but if there be fuch a Law, I appeal to y^relves, whether any Law can extend foe far, as to prejudice or invade any mans property, much leffe his Maj^{ties}; but being affured of his Maj^{ties} gracious difpofition to render all things as eafy to his loving fubjects, as poffible, I fhall foe far comply, that where by reafon of y^e fcarcity of money, it may be difficult for many to pay their Quitrents in Specie, I will give orders to y^e fheriffs to receive them in Tobaccos at one penny ʒ pound to ye value of the money, w^{ch} y^e conditions of their pattents oblidges them to.

November 20th 1685

Effingham

Some members of y^e houfe of Burgeffes bring fome bills to his Excellency, to w^{ch} the following anfwer was returned.

By

*By his Excellency*M^r Speaker

I have received this day divers propositions from y^r house in order to y^e making them Lawes, but finding, that they passed y^r house, only y^e first vote, I judge it not proper for my selfe and y^e Councel to take cognizance of them, therefore desire you will proceed to y^e passing y^r third vote on them, and then they shall be considered by my selfe and ye Councel, and be dispatched as soon as possible.

9^{ber} 20th 1685*Effingham*

The two foregoing messages were delivered to M^r *Speaker* in y^e house of Burgeses by y^e Clerk of y^e General Assembly.

9^{ber} 23^d 1683 [1685]

CAPT: W^m *Robinson* &c come into y^e Councel Chamber & present his Ex^{cy} with six several propositions, w^{ch} follow with his Excellencies answer to each.

An Act prohibiting County Courts &c to make bye-Lawes

That It may be enacted by y^e Gouern^r Councel and Burgeses of this Generall Assembly and ye authority thereof, that for ye time to come noe County Court, Parish, or Vestry shall have power in themselves or joined with any other to make any Bye-Lawes, w^{ch} shall be of force or binding to any y^e Inhabitants of this his Maj^{ties} Colony & Dominion of *Virginia*, until ye same shall be first approved of, consented to and allowed by his Maj^{ties} Govern^r and Councel of state here in *Virginia*

His Excellency thought fitt to add

And that such Bye-Lawes soe made by County Courts, Parishes, or Vestries be presented to his Majesties Govern^r and Councel, att y^e ensuing Genl Court, to be considered of, and if allowed, then to be recorded in the Secretaries office.

That y^e Act made 8th of *June* 1680 about killing of Fifth &c be repealed.

Affented to

That y^e 12th Act of Assembly made 10th of 9^{ber} 1682, for ye advancement of manufactures be continued &c

Affented to

That all horses breaking into fenced grounds, fower foot and an halfe high, ye owner of such horse or horses shall be deemed trespassers. This is already provided for by y^e second Act of Assembly in 1670

That debts contracted or to be contracted in *Maryland* shall be recoverable in *Virginia*.

Affented to

That y^e foldiers at y^e heads of y^e fower great Rivers be disbanded on y^e 25th of X^{ber} next.

As to this Bill, It is not thought safe totally to disband these forces att ye heades of y^e Rivers, until you have proposed some other waies for ye security of y^e Country.

E Chilton Cl Gen^l Aff^{ly}

*By his Excellency*M^r Speaker9^{ber} 23^d 1685

I have had this day presented to me divers bills from y^r house in order to mine and ye Councels assent to them, all w^{ch} wee have returned, with such alterations, additions and amendments, as are thought requisite

*Effingham*9^{ber}
:

Ober 25th 1685

L T COL *Arthur Smith* &c present his Excellency with ye two following bills;
The one, that all Claimes shall be proved in County Courts &c To w^{ch} his Excellency added these words, and that this Act shall be read and published in every Parish Church in Each County, by y^e Sheriffe of ye County or his Deputy one *Sunday* at least before ye holding of ye Court of Claimes.

The other was about Runawayes, w^{ch} was assented to.

w^{ch} two bills were by ye Clerk of ye General Assembly returned to M^r *Speaker* in ye house of Burgeses, with y^e following message.

By his Excellency

M^r *Speaker*

I have received severall bills from y^r House in order to mine and y^e Councils approbation of them, but find only one in answer to what I have recommended to you, therefore I desire you forthwith to proceed to ye consideration of ye rest.

Effingham

Ober 25th 1685

Maj^r *Arthur Allen* with other members from ye house of Burgeses, waite upon his Excellency and humbly desire a copy of his Maj^{ties} letter directed to his Excellency for y^e payment of all Quitrents, in specie in money *Sterl*

The Gentlemen returne.

Ordered, that ye Clerk forthwith draw out a true Copy of ye above letter and carry ye same to ye house of Burgeses, w^{ch} was accordingly done.

M^r *Jo^m Brasseur* &c brings ye following message.

November 25th 1685

By ye House of Burgeses

M^r *John Brasseur*, Cap^t *Henry Batts*, M^r *Richd Littlepage*, M^r *Richd Rennon* [*Kennon*], and M^r *W^m Anderson* are appointed to present to his Ex^{cy} and Council

The bill for settling Ports, wharves, Keys and Places for landing & shipping off all Goods and merchandizes to be imported or exported & preventing frauds in his Majesties Customes and Revenues.

The Bill Declaring ye 107th Act in y^e Printed book to be of force both w^{ch} passed ye third vote this day in y^e house and to pray their concurrence and assent to y^e same.

Test Robert Beverley Clk Aff^{ly}

Ober 27th 1685

H IS Excellency with ye advice of ye Council having well weighed ye Bill for Ports &c and made such alterations and amendments, as were thought fitt, ordered ye same to be returned to ye house of Burgeses together with that about slips and seconds, ye last of w^{ch} was assented to.

Col *Lemuel Mason* &c presents ye two following addressees to his Excellency.

To his Excellency Francis Lord Howard, Baron of Effingham his Maj^{ties} L^t and Govern^r General of Virginia

The House of Burgeses now Assembled att James Citty

Humbly present

This House receiving y^r Excellencies answer to their addresse about ye Quitrents, doe most readily submit to his Majesties Commands, and will ever endeavour (as they acknowledge it their duty) to answer ye same with their utmost obedience, but because Specificall money for discharge of ye Quitrents is utterly impossible to be procured, and y^e general indigency of this Countrey soe conspicuous and apparent, ye house of Burgeses therefore under ye deep sense of ye want of all ye Inhabitants in their respective Counties beg leave again to reiterate their former petitions, and with fresh supplication on their behalfe to move, y^r Excellency would please to accept of, and dispence with y^e payment
of

of y^e Quitrents as formerly for this year, until such new Instructions shall arrive about ye same from our present most Gracious Sovereigne, as will either confirm ye last of his late Majesty of most blessed memory, or permit and order ye payment thereof, as heretofore usually hath been accustomed.

And forasmuch as y^r Excellency thought it not safe totally to disband y^e forces att ye heades of ye rivers; Ye House of Burgeesses humbly desire to informe y^r Excellency, with their reasons, for their urging ye passing that bill.

1st That it seemes safe to this house, because y^e disbanding of ye foldiers, is generally desired by ye frontier Counties, who have most reason to aske their continuance, when need is, as being nearest ye danger, & most exposed to ye plunders and cruelties of ye Indian Enemy.

2^{dly}. That ye whole Countrey have received foe great a satisfaction of a fure peace by y^r Excellencies great care, prudence & personal endeavours, being confirmed and settled with ye Northern Indians, in y^e happy effects they have already experienced, that they alsoe pray ye great charge and expence ye Countrey is yearly att in maintaining ye foldiers may be now taken off, since they apprehend noe necessity for their longer continuance.

w^{ch} reasons wee humbly submit to y^r Excellencies consideration & doubt not, but that y^r Excellencies inclinations foe far tender ye ease of this needy Countrey, as to approve ye reasons aforementioned sufficient for passing ye Bill to repeal ye Law for placing ye fold^{rs} att ye heads of ye fower Rivers.

To His Excellency Francis Lord Howard, Baron of Effingham, his Maj^{ties} L^t and Govern^r General of Virginia.

The House of Burgeesses now Affembled att James Citty.

Humbly Present

That whereas severall propositions have been presented for ye reviving of ye whole body of ye Lawes, within this his Maj^{ties} Colony & Dominion of *Virginia*, whereby they might be made fitt by an humble addresse to be presented to his most Gracious Majesty for his Royal assent and confirmation, in consideration of w^{ch} propositions, This house inspecting y^e Journal of ye last Assembly in *April* 1684, doe find That your Excellency was pleased to promise to make it y^r care, that ye Lawes should be revived, with directions for such observations and considerations, as should be found necessary to be made therein, and to be reported to the then next following Assembly for their consideration and approbation, to ye intent they might by y^e Gen^l Ass^{bl} be humbly presented to his Majesty, as ye body of ye Lawes of this his Majesties Dominion for his royal confirmation.

And ye house of Burgeesses now affembled having as yet received noe intimation from y^r Excellency of any such revival & conceiving ye same most necessary to be done, humbly pray y^r Ex^{cy} That if ye said Lawes are foe revived and prepared, you will please to transmit them to this house for their perusal and consideration.

Ordered, that ye Clerk of ye General Assembly goe to ye house of Burgeesses and deliver ye following answers to ye two last addresses.

By his Excellency

9th 27th 1685

M^r Speaker

I have this day received two Addresses from your house, the one that I would permit ye Quitrents to be collected, as formerly, to which I thought, I had before given you a satisfactory answer, and did judge, you would have received it foe, especially when you find in his late Maj^{ties} letter to me, his positive Commands therein, to w^{ch} I desire, you'l give me leave to be obedient, as well as y^rselves, w^{ch} you very justly in y^r addresse acknowledge y^r duty; and whereas you desire it to be remitted, until his Majesties pleasure be known therein, that is already declared, as you may be fully satisfied, by his Maj^{ties} Proclamation att his acceffion to y^e Crown.

And as to the latter part of y^r addresse, neither myselfe nor ye Councel judge y^r reasons convincing enough, to make me recede from my former opinion, that till there
be

be some other way proposed for the security of y^e Countrey, it will not be safe those forces att ye heads of ye Rivers should be disbanded, w^{ch} when provided for, y^e desire may be ye easier consented to, with this addition, that if any disturbance att home, or Invasion from ye Indians, make it seem necessary to y^e Govern^r and Councel to raise any forces, they shall be paid by ye Publick charge att ye rate provided for by ye last Act.

And as to y^e other addresse, that ye Lawes may be revived, there is some progresse made in it, but not yet perfected.

Effingham

Ordered, that ye Clerk carry ye following message to y^e house of Burgeses.

By his Excellency

M^r Speaker.

Finding y^e House hath satt soe long a time, and as yet, to little purpose, I think it very requisite to take notice of it, and therefore desire you forthwith to prepare those bills given you in charge by me, and that you take order, that ye Claimes may be presented to mysele and ye Councel to be considered of, that wee may Speedily put an end to this session, for ye ease of ye Countrey and for ye better payment of ye Publick Debts

9th 27th 1685

Effingham

November 30th 1685

COL Tho: Ballard &c comes and delivers ye following message.

November 30th 1685

Ordered, that Col Tho: Ballard, Maj^r Arthur Allen, Cap^t: John Smith M^r Matthew Kemp, M^r W^m Hardridge and M^r W^m Wilson doe signifye unto his Excellency and Councel ye request & humble supplication of this house is that their Hon^{rs} will please to admit y^e Bill for Ports &c may passe their assent, with one Towne, for each County, it being otherwaies confined, appeares to them destructive to Trade and too burthenfome to ye Inhabitants of this Countrey and to signifye alsoe to his Excellency and their Hon^{rs} that this house hath agreed to all other y^e alterations and amendments made by them in ye said Bill.

Test Rob^t Beverley Clk Assembly.

X^{ber} 1st 1685

THE Bill for Ports &c. was perused, seriously considered, assented and returned to y^e house.

Col W^m Loyd with other Burgeses present y^e following message

X^{ber} 1st 1685

By ye house of Burgeses.

Col W^m Loyd, M^r W^m Hardridge, M^r W^m Wilson, M^r W^m Anderson and Capt: W^m Randolph are appointed by ye house to signifye to his Excellency, that this house requests, his Excellency will please to informe, what armes are come to his hands belonging to ye Country since y^e last Assembly, either from M^r Auditor Bacon, Col. Joⁿ West, M^{rs} Mildred Warner or Maj^r Lawrence Smith, and where ye same are att present lodged.

Test Robert Beverley Clk Ass^{bl}

X^{ber} 2^d 1685

ORDERED, that ye Clerk carry ye following message to y^e house of Burgeses

By his Excellency.

M^r Speaker.

I have received a request from y^e House, that I would informe you, what armes belonging to ye Country are come to my hands, since y^e last Assembly; I doe not understand by what authority you make such a desire, and as little y^e meaning of those words

words (*viz* belonging to the Countrey) what armes belonging to his Majesty I have received, are lodged att my houle for his Maj^{ties} service.

X^{ber} 2^d 1685

Effingham

Some members of y^e houle of Burgeffes present ye two following addreffes.

To his Excellency Francis Lord Howard, Baron of Effingham, his Majesties L^t and Govern^r General of Virginia.

The House of Burgeffes now Affembled

Humbly present

That ye feale first most graciously granted to this Countrey by King *James* y^e first of bleffed memory, and since by his Royal successors on ye humble addreffes of ye Inhabitants of this his Maj^{ties} Dominion to this time as graciously confirmed, was both at its first grant and ye severall confirmations afterwards procured and purchased att ye proper charge and expence of this Countrey, and accordingly all along made use of, as an authentick attestation to all their Pattents, Grants &c. without fee, reward or other imposition, until y^r Excellency, in *April* Court last was pleased to declare & Speedily after to sett forth y^r Proclamations commanding the payment of two hundred pounds of Tobacco for affixing ye same; w^{ch} publication of y^r Excellencies pleasure, as it hath prevented severall from taking out their Pattents, under ye feale, from ye secretaries office, and deterred many more, from entring new feats of land to ye great prejudice of his Maj^{ties} revenue in ye Quitrents, foe it hath caused all ye Inhabitants in general to present it as a great preffure, innovation and greivance to this Affembly.

Wherefore y^e houle of Burgeffes on y^e behalfe of themselves, and all ye Freeholders of this Countrey humbly supplicate y^r Excellency, that ye rights, priviledges and benefit of ye feale may be continued to them, as formerly, without fee, y^r Excellencies proclamation about ye same called in, and ye whole imposition lately commanded forthwith taken of.

To his Excellency Francis Lord Howard of Effingham, his Majesties Leiuutenant and Govern^r General of Virginia

The House of Burgeffes humbly sheweth

It having been presented to this houle by y^e Burgeffes of *Charles Citty* County, that fundry persons inhabiting on ye *black water*, on ye south side of *James River*, have been att very great charges and trouble in taking up and seating divers tracts of land, and have with themselves, families and flocks continued therein att least seven yeares, and that divers others have entred rights, surveyed and upon ye dependance of Pattents have likewise feated severall tracts of land, and are now doubtful, their Pattents will not issue, some persons having been lately denied ye same on pretence (as is apprehended) that they entrench upon ye Indians bounds.

Now may It please y^r Excellency, It is conceived by this houle, those Indians did or ought to have held their lands by Pattent, or some other lawful meanes, as wel as other nations, and those bounds were not designed to such end, but were only sett and laid out as marching bounds from Towne to Towne, with intent ye Indians in those times should come noe nearer ye *English* Plantations to disturb some smal families, w^{ch} might then be timorous and fearful of them and not to hinder those, that would adventure and hazard themselves from seating beyond those bounds, w^{ch} plainly appears by ye Hon^{ble} Maj^r General *Wood*, ye Gentleman appointed to settle them, who brought them foe far through his own land, that if they had or should debar ye *English* from seating without them, he must have lost, and his heires after him two thirds of y^e land he lived upon; And it is further humbly offered to y^r Excellency, that att that time, whose [when] those marching bounds were foe settled, being neer thirty yeares agoe, there were severall considerable nations of Indians inhabiting neer or adjoining to ye f^d *Black water*, which are now either wholly extinct, or removed many miles farther off, foe that from ye present *Nanzemond* Indian Towne to y^e *Appamatow* Towne being att least seventy miles, and from about thirty miles from ye said *Blackwater* southerly, there are not any Indians, that lay ye least claime to any part of that vast quantity of land, excepting
only

only ye *Wyanokes*, w^{ch} are not above ten or twelve in number, who would be fatisfied with a very smal part of ye fame, and are mighty willing ye *English* should settle ye reft, w^{ch} would not only extreamely advantage ye Inhabitants of this his Maj^{ties} Dominion, but alfoe very much enlarge his revenue here, there being att least one hundred & fifty thousand Acres of land, that might, without any prejudice, be taken up.

All w^{ch} ye houle of Burgeffes now Affembled doe humbly fupplicate y^r Excellency to take into y^r ferious confideration, and to give fuch direftions, that Pattents upon ye former furveys may be permitted to paffe ye office, and y^t ye remainder of ye faid land may be free for all Inhabitants of this his Maj^{ties} Dominion, to take up & feat thereon, excepting only fuch a quantity of Acres to or diftance of miles, from ye faid smal Towne of *Wyanokes*, as y^r Excellency fhall think fitt to appoint.

Ordered, that ye Clerk goe to ye houle of Burgeffes & deliver to M^r *Speaker* ye following meffage.

X^{ber} 2^d 1685

By his Excellency

M^r *Speaker*

I have this day received two addreffes from y^r houle, ye one, that liberty may be given to y^e Inhabitants of this Countrey to feat on his Maj^{ties} land on ye fouth fide of ye *Black water* fwamp, but there having been articles of agreement formerly made between this Govern^t and ye Indians on ye fouth fide of ye *Black water*, and thofe articles confirmed by Act of Affembly, I can in noe waies concede to it; and as to y^r other, that I would remit that smal fee laid on ye paffing of ye feal by Decree in Chancery, and not by any Proclamation from me, as you have misrepresented, It was laid rather to be agreeable to ye Cuftome of all nations, & all other his Majefties plantations, than for any private gain, as you may naturally conclude from ye Reafonableneffe of ye fee, Tobacco not being (*Communibus Annis*) worth five fhillings ¶ *Cent*, but to give you as much fatisfaction as I think requifite in this matter, I have not done this, nor anything elfe to my knowledge, without lawful authority, therefore fhall not recede from ye Decree foe paffed.

Effingham

The following meffages are brought up by fome of ye Burgeffes.

By ye Houfe of Burgeffes

X^{ber} 1st 1685

To His Excellency Francis Lord Howard, Baron of Effingham, his Maj^{ties} L^t and Govern^r Gen^l of Virg^a

Is humbly prefented

That although they are moft heartily glad to underftand from y^r Excellency y^r better ability and health to declare fuch bufineffe, as y^r weakneffe att ye firft Meeting rendred y^r Excellency unable to doe, yet they can not but with forrow, att the fame time receive fuch reproofs from y^r Excellency of their neglect, as they know themselves altogether undeferving of, for that feveral fuch matters have this feffion offered, as has exercifed their continual diligence, and neceffarily required their full and confiderate determination, w^{ch} proceedings, when y^r Excellency fhall come thoroughly to underftand, this Houfe are very well affured y^r Excellencys former Apprehenfions of them will be removed, and this houle appear to have ufed as much expedition in all their affaires, as will both anfwer y^r Excellencies fatisfaction, and ye moft advantagious fervice of this Countrey.

To that part of y^r Excellencies Speech relating to ye building of an houle fitting for ye Govern^r to refide in, this houle unanimously agree, and think it moft fitt, that fuch an houle be with all poffible conveniency provided for the Govern^r of this his Maj^{ties} Dominion, and that they conceive ye Govern^rs land, ye place nominated by y^r Excellency, moft proper and convenient to build ye fame upon, and that ye model, w^{ch} y^r Excellency was pleafed to refer to this houle to confider of, for his Majefties approbation, will be beft prepared, appointed and directed by y^r Excellency his Majefties now immediate Govern^r, and this houle not doubting, but there is and will be moneys fufficient

sufficient to be spared from his Maj^{ties} revenue accruing here & appropriated to defray that and other contingent charges, are most ready to consent, that so much thereof be in that use employed, as a worke of that nature will reasonably require.

And whereas It is proposed by y^r Excellency that a Law may passe, whereby his Maj^{ties} Govern^r with ye advice of ye Councel may be impowered to lay a levy not exceeding twenty or twenty five p pole; This house duely & seriously considering how far it may tend to ye disadvantage of this Country, & how unacceptable, as well as inconvenient it will be to ye Inhabitants of this his Maj^{ties} Dominion in general, whom this house represent, doe humbly signifye unto y^r Excellency, that they can noe waies concede to or comply with that proposition, without y^e apparent and signal violation of ye great trust in them reposed. And to that part of y^r Excellencies Speech relating to ye defraying ye one halfe charge of forty eight men & officers for a standing Guard, This house humbly conceive y^r Excellency ye fittest Judge, what Guards are necessary to be raised & settled, but because of ye general great poverty and indigency of ye Inhabitants of this Countrey, they humbly pray y^r Excellency will not think of lifting any other or more soldiers or officers for such standing Guard, than what may be constantly and duely paid from his Maj^{ties} revenue accruing here.

A True Copy

Test Rob^t Beverley Clk Aff^{bly}

By ye Committee of Greivances and Propositions

Reported

Whereas in his Excellencies Speech to Mr *Speaker* and ye house of Burgeffes is expresse ye odioufnesse of all fines and forfeitures, being accounted for to ye Publick, under a regal Governm^t and this Committee being fully assured, all ye subjects of this his Majesties Dominion, have a great detestation and abhorrence to any other Governm^t but that of a monarchy, are of opinion, that in concordance thereto, all fines, forfeitures and penalties, that shall be enacted this present Affembly, shall be appropriated to his Majesties use for ye benefit of this his Majesties Dominion.

But because ye penal Lawes now in force are soe numerous, and require a great time for ye revisement, and serious consideration, what of them are fitt to be repealed, and what to continue in force, *This committee therefore report*, that all fines, forfeitures and penalties to this time by former Acts already ordered and establihed, shall stand and remaine under that stile, without any alteration or repeale, until such full and deliberate consideration can be had, as ye Case requires, after w^{ch} inspection and amendm^t they likewise may be ordered and invested in his Majesty towards ye support of this Governm^t and ye contingent charges thereof.

A True Copy

November 18th 1685

Read in ye house and allowed

Test Rob^t Beverley Clk Aff^{bly}

Test Rob^t Beverley Clk Aff^{bly}

By ye house of Burgeffes

X^{ber} 1st 1685

Resolved, that there be a good, substantial, strong, publique Prison house built in *James Citty* att ye charge of ye Countrey, and to be paid for out of ye imposition of three pence p Gallon, next after Col *Phillip Ludwel* is satisfied for ye Countries house, to hold Affembles and General Courts; and that a copy of this resolve be sent to his Excellency and ye Councel, with ye request of this house, for their concurrence therein

Test Robert Beverley Clk Aff^{bly}

X^{ber} 1st 1685

By ye House of Burgeffes

To His Excellency Francis Lord Howard, Baron of Effingham, his Maj^{ties} Leinutenant and Govern^r Gen^l of Virginia

The House of Burgeffes now Affembled att James Citty

Humbly p^sent

That *whereas* att an Affembly held att *James Citty*, Anno 1682, ye summe of thirty six Thousand, two hundred and twenty three pounds of Tobacco was ordered payable unto

unto L^t Col *W^m Fitzhugh* & Capt: *George Brent* in *Stafford County*, with Caske and fallary for ye fame, yet notwithstanding ye said Col *Fitzhugh* did afterwards att ye laying of ye County Leavy in exhibiting that claime not only difown ye said Caske and fallary to be allowed in ye Publick, on purpose concealing ye authentick copy of ye Publick Leavy for that County, but alsoe demanded satisfaction from them there; & *whereas* It is made appear to this house by ye affirmation of M^r *Martin Scarlet* and ye Record of ye Leavy account attested by ye Clerk of that Court, that ye said Col *Fitzhugh* did not only make demand, but alsoe persift to urge, persuade and aver his false Affertion, w^{ch} together with his subtile insinuations soe far gained Credit (he being att that time y^e Counties representative) that y^e said Caske and fallary amounting to fix thousand, five hundred and twenty pounds of Tobacco was there admitted and releived. w^{ch} wrongful and unjust procurem^t being presented to this house as a grievance, *It is ye humble desire of this house*, that in order to ye punishment of this apparently dishonest action, and for ye preventing ye like evil practices and abuses for ye time to come, y^r Excellency would please att some convenient time to issue out y^r warrant to Command ye said L^t Col *W^m Fitzhugh* to answer ye abuse & wrong done that County, and ye whole Countrey, att ye next General Assembly, and alsoe all other articles of charge, as shall be by y^r house of Burgeffes filed ag^t him; and that ye said L^t Col *W^m Fitzhugh* be suspended from all offices military and Civil, until he shall answer to such matters, as shall be soe exhibited, and afterwards during y^r Excellencies pleafure.

And this House doe farther present to y^r Excellency, that if for ye better prosecution of ye said Col *Fitzhugh*, any other methods should seem more proper and fit, than what are already laid down, that y^r Excellency would please to vouchsafe this house ye honour of communicating and directing them therein.

A True Copy

Test Robert Beverley Clk Aff^{bly}

Ordered, that ye following paper be delivered to M^r *Speaker* in ye house of Burgeffes by ye Clerk

By his Excellency

M^r *Speaker*

I have this day received divers papers from y^r house, in answer to some things I propounded to you.

As to ye first of building ye Govern^rs house, I find we both agree in ye necessity of it, but as to y^e charge of building it, wee are much different, his Majesties Instructions to me directing it to be built by ye Countrey; but you are soe mistaken, as to declare y^r ready consent, that ye charge be defrayed out of his Maj^{ties} Revenue, w^{ch} does not att all belong to you, but soe far, I am willing to satisfye you, that were it in my power to comply with you, ye revenue would not answer it, being already much in arrear.

And as to y^r Answer of that proposition, that ye Govern^r & Councel might be impowered to lay a smal levy, I doe acquaint you, that his Majesty has now reinforced that Instruction to me, and myselfe & ye Councel did beleive, that it would have seemed, as reasonable to you, as to us, and most of ye Inhabitants of ye Country.

In answer to what you have sent me to ye raising ye forty eight men; could his Majesties revenue have maintained them, it would not have been desired of you, and a lesse number will not be any security to ye Countrey.

To that of ye fines and forfeitures, I have again recommended it to you, and hope you will consider of it, as you ought.

In answer to that, that a strong, substantial, publick prison house may be built in *James Citty*, myselfe and ye Councel think it very necessary, but not by that method, that you propound, there being already divers Countrey debts, w^{ch} ought to be preferred & wee judge most easy for ye Countrey to discharge that way.

I have received likewise a Complaint from y^r house ag^t L^t Col *W^m Fitzhugh*, I am very willing to agree to y^r method soe far, as to send out my warrant for him to answer ye Complaint ye next general Assembly, but think it not proper to suspend him from any office either Civil or military, until he has answered for himselfe

X^{ber} 2^d 1685

Effingham
Ordered,

Ordered, that ye Clerk of ye General Affembly goe to ye Houfe of Burgeffes and tell Mr *Speaker* that his Excellency Commands his and ye houfe of Burgeffes attendance on him forthwith in his Chamber.

Mr *Speaker* and ye houfe of Burgeffes waite upon his Excellency and y^e Council, upon w^{ch} his Excellency exprest himfelfe as followeth.

Mr Speaker and Gentlemen of ye Houfe of Burgeffes

I have fent for you and y^r houfe to acquaint you, that I have rec^d from his Majefty, his Majefties approbation of all ye Lawes made ye laft General Affembly, with this additional claufe to that A^{ct} for altering ye time of holding General Courts, that ye power of appointing Courts to be held att any time whatever remaine in his Maj^{ties} Govern^r or Commander in Cheife of this his Maj^{ties} Dominion; & that his Majefty thinks it moft neceffary, that that a^{ct} for ye better defence of ye Countrey be made perpetual; but Mr *Speaker & you Gentlemen of ye houfe of Burgeffes*, I can hardly promife to myfelfe y^r performance of any of thefe his Majefties foe reasonable defires, fince I find you foe averfe to thofe I have already propounded to you from his Majefty, efpecially to one foe becoming you as good fubjects, to appropriate thofe fines and forfeitures formerly laid to ye Countries ufe, now to his Majefty, for ye better fupport of ye Governm^t

Mr *Speaker* and ye houfe returns

X^{ber} 3^d 1685

SOME of ye houfe of Burgeffes come & prefont ye following paper.

X^{ber} 2^d 1685

By ye houfe of Burgeffes.

To his Excellency Francis Lord Howard, Baron of Effingham his Maj^{ties} L^t and Govern^r Gen^l of Virg^a

It is humbly prefented

That this houfe did on ye firft instant prefont to y^r Excellency their fupplication, that for ye reafons in that addrefse expreffed grounded upon ye general complaints of ye feveral Inhabitants of this his Majefties Dominion, ye late impofition of two hundred pounds of Tobacco and Caske, for ye affixing ye feale of this Colony to any Patent, Grant &c might be taken off, in return to w^{ch} addrefse, y^r Ex^{cy} was pleafed to declare to this houfe, that ye laid fee was laid by Decree in Chancery, and that therefore it was misrepresented, in faying it was done by y^r Excellencies Proclamation; This houfe doe humbly offer to y^r Excellency and ye Hon^{ble} Councils confideration, that they never were informed of any fuch Decree in Chancery; and that if any fuch were, it would have been imparted to this houfe, and doe alfoe humbly conceive, that Decrees in Chancery ufually paffe under ye Broad Seale of *England*, and that fuch Decrees are not granted, but upon deliberate confideration, and ye lawfull defences of all parties, nor doth this houfe find, that by y^r Excell^{cies} declaration, w^{ch} they look upon as a Proclamation, any mention made of a Decree in Chancery, but published as y^r Excellencies Decree, for w^{ch} reafons together with thofe formerly prefented, this houfe doe humbly fupplicate y^r Excellency, that ye laid impofition may be immediately taken off, their priviledges w^{ch} through ye Kings moft gracious Grants they have foe long enjoyed be ftill continued unto them, and that this Countrey may not be forced to part with their auntient rights only to become agreeable to ye Cuftome of other places, and this houfe doe further on behalfe of themfelves and all ye Inhabitants of this Countrey humbly fupplicate, y^t y^r Excellency would be pleafed to take again into y^r ferious confideration their former addreffes made to y^r Excellency for ye accepting of ye Quitrents in Tobaccos for ye enfuing year att ye rates formerly allowed.

And that on fuch further confultations y^r Excellency would pleafe to affent to thefe their humble requefts, w^{ch} this houfe are very well affured, would well enough confift with ye welfare, add much to ye eafe and infinitely anfwer ye general fatisfaction of all ye Inhabitants of this Countrey.

And

And whereas y^r Excellency was pleased to signifye to this house, on their addresse about ye revifal of ye Lawes, that fuch revifal was not perfected, and this house conceiving ye neceffity of having ye whole body of ye Lawes to be with all convenient Speed prepared to present to his Majesty for approbation, humbly desire, that fuch of ye Burgeffes, as fhall be nominated by this House may be joined with foe many of ye Hon^{ble} Council, as your Excellency fhall think fitt to appoint; to review all ye Acts, perufe ye Records, and to prepare a draught of them, with fuch alterations and amendments, as they fhall find neceffary and to returne ye fame to ye next Gen^l Affembly.

By Order of ye house of Burgeffes

Test Rob^t Beverley Clk Aff^{bly}

Resolved, that ye Clerk carry ye following meffage to ye house of Burgeffes.

By his Excellency

M^r Speaker

I have this day received an addresse from y^r house, that ye smal fee laid on ye seale may be remitted, and you instance, becaufe all ye Decrees in Chancery in *England* goe under ye Broad Seale; I agree with you in it, but my Lord Chancellor *quatenus* Chancellor hath power to lay a fee upon ye passing of that seale, w^{ch} to ye best of my remembrance is twelve pounds *Sterl*, ye seale of this Colony is of that nature, w^{ch} being committed to once by his Maj^{ty} gives me y^e same power, but leaft you may imagine, ye fee may be augmented by me, or any other Govern^r att pleasure, I am very willing to give you any assurance, you fhall reasonably desire, that it fhall not, regarding more ye decency and regularity of ye thing, than any private profit.

As to y^r desire concerning ye Quitrents, I can give you noe other answer than I have already, his Majesties Commands being positive therein. And as for ye revifal of ye Lawes, I think it very neceffary & requisite that ye whole Council doe first confider of them, and give their opinions, w^{ch} I will take care fhall be done, between this and ye next Affembly, and then you fhall be made acquainted with what is done therein.

Effingham

X^{ber} 3^d 1685

M^r W^m Wilfon &c. bring ye account of Claimes and ye following meffage

X^{ber} 3^d 1685

To His Excellency Francis Lord Howard, Baron of Effingham, his Majesties Leinuetenant and Governor General of Virginia.

The House of Burgeffes humbly present.

That in answer to y^r Excellencies reply about building an house for y^e Govern^r of this his Majesties Dominion, this house doe desire y^r Excellencies acceptance of their former propofals in that affaire, for that as they well hoped, his Majesties revenue accruing here & raising for ye defraying of ye Publick charge and expence of this his Majesties Dominion, would have fully answered ye same, foe they are well assured ye continual levying of new taxes for fuch matters can not be complied with, without ye impoverifhing of ye already wanting and needy Inhabitants.

And whereas y^r Excellency was pleased to reinforce ye proposition y^t ye Govern^r and Council might be impowered to raise a levy, This house doe unanimously agree, they cannot recede from their first response without breach of y^e great trust in them repofed.

And to what y^r Excellency was pleased againe to intimate about ye raising of forty eight men, this house doe humbly hope, they have already given a full and fatisfactory answer.

As to ye fines and forfeitures now again recommended from y^r Excellency, this house doe conceive, they have already fully confidered and answered as they ought, it being ye intent and meaning of this house, that all fines and forfeitures imposed for ye future by ye Gen^l Affembly, as wel as those past this present session, fhall be appropriated to his Majesty for and towards ye better support of ye Governm^t of this his Maj^{ties} Dominion and ye contingent charges thereof.

As

As to ye building of a strong, substantial prison in *James Citty*, this house conceive it very necessary, but if it shal appear to ye General Assembly, that there is not moneys sufficient yet remaining to defray ye charge of such a worke, that then it be referred to ye further consideration of ye next Gen^l Assembly. And this house doe most readily submit to ye methods prescribed by y^r Excellency in ye matter relating to L^t Col W^m *Fitzhugh*,

By order of ye house of Burgeffes

Rob^t Beverley Clk Aff^{bly}

X^{ber} 5th 1685

MR W^m *Wilfon &c* brings ye three following messages

X^{ber} 4th 1685,

Ordered

By ye house of Burgeffes,

That M^r Auditor *Bacon* pay to Col *Phillip Ludwell* fouer hundred pounds *sterl* out of ye moneys accruing from ye duty of three pence $\frac{3}{4}$ gallon upon liquors, for and in consideration of rebuilding ye state house, upon payment of w^{ch} money M^r Auditor is desired to take bond from Col. *Ludwel* for ye full compleating of ye said house, in such manner, as shal be fully satisfactory to his Excellency, ye Councel and ye house of Burgeffes, answerably good and equivalent to the condition for ye same.

His Excellencies and ye Councils concurrence herein is desired by ye house

Test Robert Beverley Clk Aff^{bly}

Resolved by ye house, that ye room in ye state house, called ye Porch Chamber be kept and appropriated an office for ye Clerk of ye Aff^{bly} and that *Robert Beverley* ye present Clerk take possession thereof and therein lodge and place all Records, Books and Papers belonging to ye Assembly, w^{ch} either now are or for ye time to come shal be committed to his charge, keeping or custody.

Ordered that this resolve of ye house be sent to his Excellency & ye Council, with ye requests of this house for their concurrence therein.

Proposed by ye house, y^t ye lower room in the state house opposite to ye Court house room be with all possible expedition fitted for ye secretaries office in such manner, as his Excellency and y^e Council shal direct, and this House doe pray his Excellency will please to Command and direct ye doing thereof, and y^t the Hon^{ble} Col *Ludwel* be treated with about it.

X^{ber} 4th 1685

Signed by order of ye house of Burgeffes

Rob^t Beverley Clk Aff^{bly}

By ye house of Burgeffes

X^{ber} 4th 1685

To His Excellency y^e Govern^r

This house having considered y^r Excellencies late Speech to M^r *Speaker* and themselves, of w^{ch} you were pleased to favour them with a copy, doe observe, y^t y^r Excellency therein makes mention of his Majesties gracious approbation of all ye Lawes made y^e last General Assembly, but with additional clauses to some particular Acts, and to ye end they may, as their duty is, take notice and render and give humble thanks and obedience to all his Majesties gracious Commands, they humbly pray, y^r Excellency will please to favour them with a copy of such of his Maj^{ties} Instructions to y^r Excellency, as is mentioned by y^r Excellency in y^r said Speech.

Signed by order of ye house of Burgeffes

Robert Beverley Clk Aff^{bly}

X^{ber} 5th 1685

Ordered, that ye Clerk transcribe his Majesties Instruction signifying his allowance and approbation of ye Lawes made ye last General Assembly and carry ye same together with ye following Message in answer to ye state of Claimes, to ye house of Burgeffes.

X^{ber}

By his Excellency and Council

M^r Speaker and Gentlemen of ye house of Burgeffes.

Upon ye Examination of ye Publick claimes returned from y^r house wee have thought fitt to acquaint you, with our obfervations thereupon, w^{ch} are as follow *viz*:

As to ye Claime made by M^r *Joseph Ring* for cleaning feveral fwords; It being thought neceffary, that fwords fhould be fent to ye heads of ye rivers, for ye better defence thereof, many perfons there not being of ability to buy, w^{ch} his Excellency confidering, was foe far pleased for ye fervice of ye Countrey, to permit his Majefties fwords to be fent thither, provided they were cleaned, upon w^{ch} Col *John Page* by order of Council was defired to agree with M^r *Ring* for ye fame; and Col *Page* having acquainted y^r Committee of Claimes that he has feen feveral of them, that were well done, and he was confident, all ye reft were in ye like condition; and fouerfcore of them to our knowledge being now on ye Countries fervice, therefore wee think it moft reasonable, that his account, being moderate, be allowed, he having already been one year & an halfe without his pay, for his work done, & defire to be fatisfied for what reafon this claime was difallowed by ye houe of Burgeffes.

The Claimes of M^r *Edmund Jennings* & Col *Tho: Ballard* for profecuting feveral malefactors, wee conceive ought to be allowed, it formerly having been cuftomary, and ye tryals of Criminals is altogether for ye peace and advantage of ye Countrey, and there is noe other fund to difcharge ye fame, unleffe the fines and forfeitures had been appropriated, if w^{ch} had been done, this charge might have been paid that way.

As to ye Claime of Capt: *Brent*, It does appear to us, that when he was upon ye Countries fervice, purfuant to his Excellencies Commands, there was a neceffity of giving an account of his proceedings to M^r *Secretary*, being ye next Councellour, and ye Countries Credit being foe very bad, noe perfon whatever could be procured to goe on fuch a meffage, unleffe Capt: *Brent* would oblige himfelfe for payment, It would be therefore thought hard, that he fhould fuffer for ferving ye Countrey, therefore wee conceive he ought to be paid twelve hundred pounds of Tobacco & Caske paid ye three men.

As to ye Claime made from *New Kent* County for feveral forrages and provifions expended, att ye time when ye *Seneca* Indians lay on ye frontiers of that County, and committed feveral injuries on ye Inhabitants thereof, thofe foldiers were raifed by M^r *Secretary Spencers* Commands, (who was then Prefident and Commander in Cheife) for ye better defence and fecurity of ye Countrey, and Col *George Lyddal*, who was then appointed Command^r was constrained to paffe feveral notes both for forrages & provifions expended by thofe foldiers, for fome of w^{ch} notes he has been fued, and fome judgments paffed ag^t him, and if ye fame be not fatisfied by ye Countrey, he is without all remedy, and it would be moft hard, that he fhould be ruined for ye fervice of his Countrey, and noe man, if ye like occafion fhould happen, (w^{ch} God forbid,) can be expected to ferve ye Countrey; and as to the Counties paying for ye provifions, It hath been propofed to ye County Court, who refufe to pay ye fame, faying there is noe Law for it, and that Law for ye Counties maintaining their foldiers being fince made, wee think it but juft and right to be allowed by the Countrey.

And as to ye claime made by *Edward Chilton* Clerk of ye Council for twenty thoufand, five hundred, thirty nine pounds of Tob: and Caske, due for fees accruing upon ye profe- cution of Criminals &c w^{ch} is moft neceffary, being for ye peace and ye fafety of ye Countrey, great part thereof is due by a Law of this Countrey, & found legal according to that Law, and notwithstanding ye objection you have made, has alwaies been paid by ye Affembly, when demanded, and as to what you fay to his other Claime for other publick fervices, ye account he now exhibites is not equivalent in exorbitancy or great- nefse in ye charge to ye thoufand or twelve hundred pounds of Tobacco, you have been willing formerly to allow to ye Clerk of ye Council, none before him having done ye fortieth part of fervices, w^{ch} his place now annually requires him to, and if ye Law for defraying Criminal charges be of force, w^{ch} it is, not being repealed, & fheriffs fees, w^{ch}

are

are not altogether due by Law, but moſt by Cuſtome, and allowed to be paid, his Claime as now preſented is moſt juſt & ought to be paid great part of ye ſame being due by a Law, and for ye like other publick ſervices, you y^rſelves have alwaies paid, ſince he was firſt Clerk, and as to that you ſay, that there be an annual allowance of five thouſand pounds of Tobacco & Caſke paid to ye Clerk for all ſervices, that can have noe relation to ye time paſt, neither is it a ſufficient allowance for ye time to come, conſidering ye ſervices he is likely to doe, nor ye quality he is in, being little more, than what is allowed by y^r houſe to ye Dromer, for one yeares Attendance; and if ye ſame were agreed to, it might prove prejudicial either to ye Countrey, or ye Clerk, either in giving more than he deſerves, or in not giving him his juſt due, therefore It is thought fit, that he [be] conſidered according to his ſervices and have noe full affurance of any reward before hand, w^{ch} may occaſion a great neglect in him, wee hope therefore you'l dwell noe longer on this, but be as juſt to him as others, in allowing him his full and juſt claime.

As to ye allowance of two thouſand pounds of Tobacco made to M^r *Hen: Gauler* for ye Council Chamber, wee think fit he be allowed fouer thouſand pounds of Tobacco & Caſke; and find you allow for a room for one of y^r Committees fifteen hundred pounds of Tobacco & Caſke, w^{ch} wee think a great deal too much, and ought to be regulated, for ſhould an allowance be proportionable for ye Council Chamber, for three Courts & one Affembly, by ye like reaſon he ought to have fouer times as much.

As to ye Claime made by M^r *Hen: Gauler* for drink given to ye Indians, att ye time they were going to *New York* in order to confirme ye Peace made with ye northern Indians, wee conceive he ought to be allowed a moderate rate for ye ſame, ye Indians being then on ye Countreys ſervice

The whole Countrey in general having received ſoe great a ſatisfaction in ye firme peace concluded on between his Excellency ye Lord *Howard* Govern^r on ye behalfe of this Governm^t and ye northern Indians and ſince confirmed by Col *W^m Byrd*, as you have inſtanced on ye 27th of *November* laſt, and ye charge being allowed by y^r Committee of Claimes, wee doe much admire to find it wholly difallowed by y^r houſe, and whereas by ye report of y^r Claimes, you have ſignified, y^t ye reaſon of y^r difallowance is, becauſe you reap no advantage thereby, y^e Country being att ye ſame charge in maintaining ye ſoldiers att ye heades of ye rivers; had you propoſed in y^r deſire of ye repeal of ye A^ct for ye better defence of ye Countrey, a Claufe (notwithſtanding ye repeale of ſuch A^ct) appointing all ſuch forces, as ye Govern^r with the advice of ye Council ſhould raiſe upon any emergent occaſion, during ye continuance of ſuch A^ct, to be paid for ye time, they are on ſuch ſervice, according to ye intent of ye ſaid A^ct, then little queſtion is to be made, but that y^r deſires would have proved more effectual, therefore wee think it reaſonable [unreaſonable], that his Excellency, Col *Byrd* & others, who have been att ſoe great charges ſhould not be reimburſed.

The allowance given to y^r Clerks in General, wee find moſt immoderate & exorbitant & ought to be regulated, & in a more particular manner that of Col *Milners*, having given him eight thouſand pounds of Tobacco and Caſke for Coppies of Journals ſent for *England* and given to his Ex^{cy} &c when you y^r ſelves ordered him pay for ye ſame ye laſt Affembly, having included it in his twenty thouſand pounds of Tobacco & Caſke, as by y^r laſt Journal may appear, but wee are not in ye leaſt unwilling, that he ſhould be juſtly ſatisfied for all ſervices not already paid, and think it reaſonable, that he be allowed during his Attendance here in Towne, although it was in expectation of his own profit, after ye ſame rate, as a Burgeſs is by Law, and that ſatisfaction be made likewise for his boat and hands; and if you agree not to this, wee deſire, that ye petition of Col *Milner*, ye ground of this great claime, may be ſent to us, that wee may be equally ſatisfied in ye juſtneſſe of it.

E Chilton C^l Gen^l Aff^{ly}

Several Articles wherein Capt: *W^m Hartwel* hath overcharged in his Account to ye Country.

To impannell a Jury to attend ye Court 16 Days att 10 ^d 7 ^p man.....	1920
To a Juries attendance 2 dayes att 60 7 ^p day.....	0720
<i>April.</i> To Commitm ^t <i>Warner</i> overcharged.....	0020
To a Juries attendance 2 dayes 60 7 ^p day a man.....	0720
To a Juries attendance 2 dayes 60 7 ^p day a man.....	0720
To a Juries attendance 2 dayes 60 7 ^p day a man....	0720
To a Juries attendance 2 dayes 60 7 ^p day a man.....	0720
To a Juries attendance 2 dayes 60 7 ^p day a man.....	0720
To a Juries attendance 4 dayes.....	1480
To overcharged in ye 6 men guarding ye prifon 39 days att 40 7 ^p day.....	5850
To ye charge of M ^r <i>Smith</i> , his wife &c, when indeed they were fummoned by writ for evidences.....	0120
The ferveral charges att ye beginning and latter end of ye account for <i>Giles Hill</i> , <i>John Smith</i> , <i>W^m Davis</i> & <i>Rob^t Morton</i> , the three firft being ordered to ferve him, and ye other officers, to fatisfye ye fees, & <i>Morton</i> was an unruly fervant committed by his Mafter M ^r <i>W^m Sherwood</i> , who is lyable to pay what is juftly due.....	2180

Nor doe wee find any thing allowed to ye fheriffe of *Nanzemond* for his own paines in coming and going and bringing up *Mekeel* and ye other Pyrates w^{ch} he did by a fpecial order from ye Prefident and Councel, he having modeftly referred that to y^r confideration; And It is Judged fix dayes was ye leaft he could be performing that fervice, beides his own expences, w^{ch} att ye leaft ought to be one hundred & twenty 7^p day

X^{ber} 4th 1685 E Chilton C^l Gen^l Aff^{bly}

X^{ber} 7th 1685

THE following meffage is prefented to his Excellency & Councel by fome members of ye houfe of Burgeffes

X^{ber} 7th 1685

By ye houfe of Burgeffes

In anfwer to his Excellencies & ye Councils obfervations upon ye report of ye Committee of Claimes and refolves of this houfe thereupon, this houfe doe declare.

That ye reafon why they difallow ye article of three thoufand, fix hundred pounds of Tobacco & Caske to be paid to M^r *Joseph Ring* for cleaning fwords is, becaufe they judge ye Countrey not lyable to be levied upon for ye fame, for that being his Maj^{ties} Armes & his Majefty having appropriated his revenues here to ye fupport of ye Governm^t and ye contingent charges thereof; ye charge claimed by M^r *Ring* ought to be paid from ye laid revenue.

To ye Claimes of M^r *Edmund Jennings* and Col *Tho: Ballard*, as officiating as ye Kings Attorney Generals, this houfe continue their former refolve, that they are not lyable for fuch fervices, as they claime for.

To ye Claime made from *New Kent* by Col *Lyddal* &c this houfe refolve that what is not heretofore and [by] this Affembly allowed towards ye fame, is not any debt of ye Countries, but whatfoever elfe is due to any perfon in that fervice, ye County of *New Kent* is lyable for, all w^{ch} was accordingly refolved ye laft Affembly.

To ye Claime of M^r *Edward Chilton*, this houfe can not recede from ye report of ye Committee of Claimes, and refolve of ye houfe thereupon.

To ye Claime of M^r *Hen: Gauler*, for ye Councel Chamber, this houfe continue their refolve that he be paid two thoufand pounds of Tobacco & Caske; and account it a good & fufficient allowance, M^r *Gauler* keeping an ordinary, and thereby oblidged to find a room for his Guefts.

The article of five hundred pounds of Tobacco to M^r *Gauler* for drink to ye Indians is allowed, but not to be made prefidential, there never before having been fuch allowances made by this houfe;

To

To ye article of allowance to L^t Col *Milner* late Clerk of Affembly being eight thous- and pounds of Tobacco & Caske, ye particulars mentioned by Col *Milner* in his claime to this houle have been already particularly expreff^t to y^r Excellency and ye Council in ye foot of ye report of ye Committee of Claimes, to w^{ch} this Houfe thought fit to confider his other fervices done & make ye fumme in groffe eight thoufand pounds of Tobacco & Caske, w^{ch} they pray y^r Excellency & ye Council will concur in.

And to what is faid in relation to our Clerks, this houfe humbly hope, that they are not chargeable with immoderation or exorbitancy, in ye allowance to their Clerks, for that w^{ch} in former Affemblies ftood ye Countrey in att leaft twenty thoufand pounds of Tobacco to feveral Clerks of Committees is by ye frugality of this houfe reduced to twelve thoufand, and therefore this houfe further hope, thofe mifgrounded imputations will be taken off & obliterated.

Refolved that Capt: *W^m Hartwells* articles in his account and objected ag^t by ye Govern^r and Council be allowed as, reported from ye Committee of Claimes, but for ye future all fheriffs fees to be afcertained by Act & not any allowed by Prefident only, ye ground of this p^{re}sent refolve proceeding from ye obfervation of like allowances to former fheriffs in like cafes; one article only from ye Govern^r and Council in ye faid *Hartwells* account is by this houfe difallowed *viz.*

ffor *Gyles Hill, Joⁿ Smith, W^m Davis & Robt: Moltons* fees 2180^{lb} Tob: ye three firft being ordered to ferve him, with w^{ch} ye Committee of Claimes was not acquainted.

In anfwer to what concernes ye fheriffe of *Nanzemond*, this houfe informe y^r Excel- lency and ye Council, that whatever ye faid fheriffe demanded of, or referred by any meanes in word or writing to this houfe or ye Committee hath been duely confidered of, and all fit allowances made.

Teft Rob^t Beverley Clk Aff^{bly}

The Report as come from ye Committee of Claimes, relating to ye *New York* and *Albany* Charge is by ye houfe allowed of and M^r Auditor *Bacon* is defired to pay

	£	s	d
To his Excellency ye Govern ^r for difburfements made.....	93	05	01
To Col <i>W^m Byrd</i> for his account of difburfements.....	168	14	10 ½
To M ^r <i>Edmund Jennings</i> for his account of difburfm ^{ts}	35	04	00
To <i>Rich^d Yarborough</i> Interpreter for his voyage & fervices.....	20	00	00

As to Capt: *Sam^l Ifaac*'s claime noe agreem^t appearing to the Committee or to this houfe, they can not att prefent make any refolve therein, leaft in foe doing, they fhould doe wrong to ye Countrey or to Capt: *Ifaac*.

Refolved that ye confideration of a gratuity to ye Hon^{ble} Col *W^m Byrd* for his late Agency to *New York* and *Albany* ftand referred to ye next Affembly.

Refolved, that ye confideration of a gratuity to M^r *Edmund Jenings* for his accom- panying ye Hon^{ble} Col *Byrd* in his Agency to *New York* and *Albany* ftand referred to ye next Affembly.

Teft Robert Beverley Clk Aff^{bly}

X^{ber} 7th 1685

Ordered that ye Clerk deliver to M^r *Speaker* ye following meffage

By His Excellency

M^r Speaker and Gentlemen of ye houfe of Burgefes.

This day an addrefse and fome orders of y^r houfe have been prefented to me and ye Council by fome of y^r members, & doe much wonder, you fhould propofe foe unreason- ably, as to defire our concurrence, in ye memorial of ye fecretaries office, w^{ch} ever fince ye ftate houfe was firft built, until burnt, has been continued in ye place you allot for an office for y^r Clerk, foe that M^r *Secretary* juftly claimes it by prefcription, and you y^relves have foe confented and alfoe defired, that it be enlarged, as by ye agreement made ye laft general Affembly with Col *Ludwel* appeares, and ye place you propofe for ye fecretaries office is abfolutely neceffary to be kept, as now it is, for thofe that have bufineffe att general Courts, otherwaies they muft be conftrained to attend without doors,

doors, let the weather be what It will, and ye same being foe neer ye ground, notwithstanding all endeavours, will never be fit for Records to be kept in, by reason of ye great dampneffe, w^{ch} is there, and ever will foe continue, besides there has been formerly an office for ye Clerk of y^r house, w^{ch} wee conceive with a little fitting may be as proper now as ever, foe that wee neither can, nor will concede to yr desires in that, but if you are of opinion, y^t ye place wee propose for y^r Clerks office, be either inconvenient or not fit, wee leave you to y^r liberties to make choice of any other place in ye state house not already appropriated to any other particular use.

As to ye Claime of M^r *Ring*, ye fwords cleaned by him are now on ye Countries service, and his Maj^{ties} revenue being in arrear, Its therefore thought reasonable to be paid by ye Countrey, there being noe other way of paym^t

By our last wee desired, if you confirmed y^r former allowance to Col *Milner*, you'dl return his petition ye ground of his claime, w^{ch} wee find you have not done, therefore wee expect it, before our concurrence, ye allowance made by ye last Affembly to him, having included all services he did, as wee find by our Journal.

Wee reft not satisfied in y^r answer to Capt: *Hartwels* claimes, If it be prefidential, wee desire wee may be satisfied in it.

It would have been impossfible for Capt: *Ifaac* to have made his claime appear to a County Court, but seeing there was an agreement made by ye Councel with Capt: *Ifaac*, and allowed on by me, w^{ch} was as followes: viz: Capt: *Ifaac* was to have for his vessel one hundred pounds *sterl* for every three moneths, and foe proportionable for a longer or leffer time, wee therefore expect, that he may be paid from ye date of his Commiffion, until ye time he was discharged att *James Town*, w^{ch} was on ye fifth day of *November*, and that M^r *Auditor* may accordingly be ordered to pay him what due after Col. *Ludwel* and his Excellency are paid

Wee find you have allowed his Excellency, Col *Byrd* and M^r *Jenings* for their disbursements att *New York*, but have not directed ye manner of payment, wee conceive therefore, that it will be moft conveniently paid out of ye enfuing produce of ye Imposition, that shall arise upon liquors.

The Claime of *Edward Chilton* Clerk of ye Councel, wee find returned without ye allowance of his juft due, w^{ch} wee could never have expected, being foe reasonable, and are something concerned, that you should make fuch marks of diftinction, there is none in y^r house, but what is fully fenfible of his great services, expence & charges, w^{ch} in a great manner exceed thofe of any fherriffe whatever, yet y^r house, have exceeded y^r ufual allowance to fherriffs & other officers, and not given him as formerly, if therefore you expect, that prefidents be binding, let them be foe in this cafe, as well as others, if not, let all Claimes made by fherriffs & other officers be paid only according to Law, in either of w^{ch} wee shall reft well satisfied, let us therefore Spin out noe longer time; but that fuch controversies may not futurely arise between us, wee are content, y^t ye vote paffed by y^r Committee for ye annual allowance to him of five thoufand pounds of Tobacco and Caske, bee brought to Ten thoufand pounds of Tobacco & Caske, and that that be a fatisfaction to him for all services he shall doe yearely as Clerk of ye Council, w^{ch} being foe moderate a propofal, wee question not y^r concurrence, neither in this, nor in payment of what he now claimes.

Wee find you have referred ye gratification w^{ch} you think fitt to be made to Col *Byrd* and M^r *Jennings* to ye next Affembly, w^{ch} wee think very improper, wee therefore propose, that notwithstanding att prefent, there is noe fund, y^t ye gratifications be afcertained this Affembly, and ordered to be paid ye next.

As to what you propose in relation to Col *Ludwel*, wee think it reasonable, and doe therefore agree to it.

Effingham

X^{ber} 7th 1685

Col *Lemuel Mafon* &c brings a bill for ye repeal of ye 7th Act of Aff^{bl} made att *James Citty* ye 16th day of *April* 1684, w^{ch} was Affented to.

A

A bill for ye better defence of ye Countrey & defraying ye charge thereof by ye Publick.

w^{ch} was Affented to, some alterations being first made.

The Clerk having acquainted his Excellency, that he had received a Command to waite upon ye Burgeffes &c his Excellency was thereupon pleased to order ye following meffage to be sent to Mr *Speaker*.

By His Excellency.

Mr *Speaker*

I have this day seen an order of y^r house commanding *Edward Chilton* Clerk of ye General Assembly to appear before you this afternoon, to answer his neglect in not bringing to y^r house ye Records transcribed by him & presented to y^r house ye last Assembly; w^{ch} I am willing to performe, as far as able; but that he should appear before you for any unbecoming answer given to Mr *Robert Beverley* y^r Clerk, my leave should first have been asked, or complaint made unto me.

X^{ber} 7th 1685

Effingham

X^{ber} 8th 1685

COL *Joⁿ Armistead* &c brings & presents ye following meffage.

By ye house of Burgeffes

X^{ber} 8th 1685

In answer to y^r Excellencies last meffage, This house present *viz:*

Resolved by ye house, that ye Countrey is not lyable to pay Mr *Ring* his Claime, and ye debt must lye, until his Majesties revenue can make payment thereof.

Mr *Milner* upon ye choice of another Clerk moved this house personally for consideration of his Attendance & services, w^{ch} this house then promised, they would in proper time consider of, and have deliberately considered and resolved he well deserves ye eight thousand pounds of Tobacco & Caske awarded him, from w^{ch} resolve they can not find how to recede.

As to Mr *Hartwels* claime, this house continue their former resolve, ye allowances being none other, than other former sheriffs had in like cases.

Resolved, that Capt: *Sam^l Isaac* be paid for his vessel, by Mr Auditor *Bacon*, out of ye Impost money upon liquors next after his Ex^{cy} and Col. *Ludwel* is paid according to ye agreement made with him by ye Council and allowed of by his Excellency.

Resolved, that ye moneys due to his Excellency, to Col *Byrd* and to Mr *Edmund Jennings* for their disbursements yesterday ordered to be paid them by Mr Auditor *Bacon*, be paid out of ye moneys arising from ye Impost upon liquors.

This house continue their yesterdays resolve, y^t ye consideration of ye gratification to Col *Byrd* and Mr *Jennings* stand referred to ye next Assembly.

Mr *Chilton* is allowed eight thousand five hundred and fifteen pounds of Tobacco & Caske, being ye equall summe allowed him last year, when his claime was much greater, than he pretends to now; This Allowance not to be accounted as presidential, but that hereafter all claimes be regulated according to Law.

Test Robert Beverley Clk Aff^{ly}

Capt: *W^m Ball* &c delivers ye following meffage.

X^{ber} 8th 1685

By ye house of Burgeffes

To his Excellency and ye Council

This house having read and considered y^r Ex^{cies} late answer to ye resolve of this house appointing ye room called ye Porch room in ye state house for an office for our Clerk, and that ye lower room under ye Assembly room may be fitted, soe much thereof, as is necessary, for an office for Mr *Secretary*, doe now againe supplicate y^r Excellency and ye Council will please to concur with them therein, for although they doe acknowl-
edge

edge y^t ye f^d Porch room att ye firft building of ye ftate houfe was made ufe of, for an office for ye fecretary, yet ye houfe of Burgefles whilft it foe remained, all along obferved it, both inconvenient and incommodious to them whilft fitting; there being nothing Spoken or propofed in ye houfe, that was not equally to be heard there, as wel as in ye Affembly room itfelfe, befides ye fame gave continual opportunity to all forts of P^{er}ions to crowd before the Affembly room, under pretence of coming to ye office.

And this houfe doe again propofe to y^r Excellency and Hon^{rs} fuch part of ye room, under ye Affembly room, as is neceffary for ye fecretaries office, w^{ch} by feeling ye walls and raifing ye floor will become as fafe & commodious for prefervation of ye Records, as i^ts poffible any other place can be made, w^{ch} they doubt not will foe appear to y^r Excellency and ye Council, to whom they fubmit ye manner of doing and directions thereof, and againe request ye acceptance thereof to that purpofe.

Teft Rob^t Beverley Clk Aff^{ly}

The following anfwer was ordered to be returned.

By His Excellency & Council.

Y^r reafons given for ye Porch room to remaine an office for y^r Clerk, have been confider'd and agreed to, upon condition his Majefty's fecretary upon ye firft notice given him, be content, that his office fhall be in ye lower room you propofe, w^{ch} is not in ye leaft to be doubted, and that you will provide, that a ftrong partition be made under ye fecond Girder, att ye weft end of ye faid room, ye floor raifed two foot from ground, ye walls ceeled, with fawen board fmoth'd and battened, and ye windows Iron barred, and fhutters or window leaves of halfe inch board with a Croffe barr to each, with fhelves, table and benches to be well done and compleatly finifhed before ye next General Court, Att ye charge of ye Countrey, to be paid for ye next General Affembly, and that you agree with fome workman accordingly Propofed alfoe, that you agree with M^r W^m Sherwood, for his Hall, fmall back room, and Cellar, for ye ufe of his Majefties Govern^r and Council, for a Council room, to debate all matters relating to ye Governm^t of this his Maj^{ties} Dominion of *Virginia*, being more convenient, than any yet made ufe of, for privacy and dignity, his Excellency having lodgings in ye fame houfe, and defire you'l treat with M^r Sherwood accordingly.

X^{ber} 8th 1685

E Chilton C^l Gen^l Aff^{ly}

M^r Matthew Kemp &c brings ye following Meffage

X^{ber} 8th 1685

By ye houfe of Burgefles

Refolved, that Col Tho: Ballard, Maj^r Arthur Allen, Maj^r Sam^l Swan and M^r Hen: Hartwel or any three of them, doe with ye firft poffible conveniency treat and agree with ye Hon^{ble} Col Ludwel, or fuch other perfon or perfons, as they fhall think fit to treat and agree with for ye expeditious undertaking and finifhing ye work about ye fitting up an office for M^r Secretary, according as ye fame is propofed to be done by his Excellency and ye Council, and they are by this refolve impowered to make fuch Agreement and engage ye Publick faith for payment to be levied and made by ye next Affembly, his Excellency and ye Councils concurrence is defired herein.

Teft Rob^t: Beverley Clk Aff^{ly}

M^r Rich^d Littlepage, M^r Jo^m Lear &c bring & prefent ye following meffage.

X^{ber} 8th 1685

Col. Tho: Ballard, M^r Hen: Hartwell, Maj^r Sam^l Swan Maj^r Arthur Allen Being appointed a Committee to treat and make agreem^t with M^r W^m Sherwood, for his great Hall, and ye back room on ye fame floor, and ye Cellar under ye faid room, according to a propofal this day made by his Excellency and Council, doe Report.

That purfuant to ye faid propofal, they have treated and agreed with M^r Sherwood, he ye faid M^r Sherwood compleatly fitting & furnifhing ye faid great Hall &c and for fire, candle and attendance, for ye ufes and purpofes in ye faid propofal expref^t, for
twenty

twenty five pounds *sterl* p *annum*, to be paid out of ye three pence p gallon on liquors imported, to commence att ye next meeting of his Excellency & Councel, and to continue till ye end of ye next session of Affembly.

X^{ber} 8th 1685

Read in ye house, allowed & confirmed

Test Robert Beverley Clk Aff^{bly}

X^{ber} 8th, 1685

Resolved, that a copy hereof be sent to his Excellency & ye Councel to w^{ch} their concurrence is desired by this house.

Test Robert Beverley Clk Aff^{bly}

Ordered, y^t ye Clerk carry ye following message to ye house of Burgeses.

Mr Speaker

Since you can not be persuaded to regulate the Claimes, wee had rather allow them, than put ye Country to any farther charge by these disputes; And since you have said nothing to ye allowance of twenty thousand pounds of Tobacco & Caske made to ye Clerk of ye General Affembly, wee take it for granted, that you have allowed it, therefore desire you will proceed to ye proportioning ye Levy, that wee may put an end too morrow morning to this tedious sessions.

E Chilton C^l Gen^l Aff^{bly}

X^{ber} 8th 1685

Mr *Littlepage* &c brings ye following message

X^{ber} 8th 1685

By ye House of Burgeses.

To his Excellency and ye Councel

This house having read and considered y^r Excellencies & Councils late message relating to Mr *Chiltons* allowance as Clerk of ye Gen^l Affembly expressed in these following words (and since you have said nothing of ye allowance of twenty thousand pounds of Tobacco and Caske made to ye Clerk of ye General Affembly, wee take it for granted, that you have allowed it) doe signifye to y^r Excellency & Hon^{rs} y^t nothing has been before us, whereby wee could take notice of any such allowance, and consequently have not allowed such summe, but this house have inspected ye last Affembles Journal & there find, after many serious considerations in ye house, and conferences with ye house had and done about a fit allowance to Mr *Chilton* as such Clerk, there was then considered of and allowed him ten thousand pounds of Tobacco & Caske, for his salary as Clerk of ye General Affembly, and this house doe now agree, *nemine contradicente*, to ye like allowance for this Affembly, to w^{ch} they pray y^r Ex^{cies} and Hon^{rs} consent & concurrence

Test Robert Beverley Clk Aff^{bly}

The Clerk carries ye following answer to ye house of Burgeses

By his Excellency.

Mr Speaker

As to y^r Answer concerning *Edward Chiltons* salary as Clerk of ye General Affembly, wee find you have allowed him but ten thousand pounds of Tobacco & Caske, and that because you say, searching ye last Journal you find noe more allowed, but you may likewise find, that it was then consented to with this exception, that It should not be preidential, therefore wee think it most fitt and reasonable, that he have ye equal allowance with ye Clerk of y^r house, w^{ch} will be ye ready way to hinder all disputes for ye future and dissatisfactions for ye present, he hath plainly demonstrated to us, and is ready to doe ye same to you, that with his Clerks salary, his own expences and charges of distributing Proclamations, he is really out of purse, above fouerteen thousand pounds of Tobacco & Caske, and you have allowed him for ye whole but eighteen thousand, odd hundred, therefore myselfe and ye Council expect y^r compliance herein.

As to ye agreement made by y^r house with Mr *Sherwood*, myselfe & ye Council consent.

X^{ber} 8th 1685

Effingham

X^{ber}
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X^{ber} 9th 1685

MAJR *Arthur Allen &c* brings ye following meffages.

X^{ber} 8th 1685*By ye House of Burgeffes*

In anfwer to his Excellencies and the Councils late meffage concerning Mr *Edward Chiltons* fallary, as Clerk of ye General Affembly, This houle humbly pray his Excellency and ye Council to accept this their unanimous refolve.

Refolved, that they can not depart from their late refolve that Mr *Chilton* be allowed as Clerk aforefaid, for this feffion of Affembly ten thoufand pounds of Tobacco & Caske and noe more.

*Teft Robert Beverley Clk Affembly*X^{ber} 8th 1685

Maj^r *Arthur Allen*, Col *John Armistead*, Mr *Arthur Spicer*, & Col *W^m Loyd*, are appointed by ye houle to fignifye unto his Ex^{cy} that in ye copy of ye engroffed bills, for ye body of ye Laws late fent to his Excellency and Council for their perufal, under ye teft of ye Clerk of ye Affembly, ye fame being brought back to ye houle by Mr *Chilton*, was obferved by this houle a certain paper noe waies authenticated, and farther to let his Excellency know from this houle, that ye faid engroffed bill, as it came from ye houle is perfectly agreeable with ye Bill fully voted, in this houle, and w^{ch} having received ye Teft of his Excellencies & ye Councils Affent, w^{ch} gives ye fame ye full force of Lawes, and can not therefore without ye authority of another Affembly admit of, or receive any alteration or addition.

Teft Rob^t Beverley Clk Aff^{bly}

Ordered, that ye Clerk of ye Gen^l Affembly deliver to Mr *Speaker* ye following writing.

By His Excellency

Y^r meffage this morning received about ye Bill for Ports &c, where you infist ye Bill was agreed to, ye fame is a very great miftake, for firft it came with forty five Townes, and then myfelfe and ye Council propofed to you, that two Towns in a river would be fufficient and upon that confideration, there was noe alteration in that claufe about ye officers fees att ye Townes, It being thought poffible, that ye Collector either by himfelfe or his Deputy, might give attendance, and then you propofed to have a Town in each County, w^{ch} was then thought reafonable by ye Council, but then it will be impoffible for a Collector to be att all places, and therefore there muft be an officer appointed and allowances made, or elfe ye Law will never be practicable; and as ye A^{ct} propofes ye fecurity of his Maj^{ties} revenue, this will much diminifh it; and It was never known, that officers were appointed and noe fees allowed; and as to ye not figning ye alteration of ye A^{ct}, there was no room in ye margent to write ye alteration, and therefore It was wrote in a peice of paper and affixed to ye A^{ct}, w^{ch} hath been alwaies y^e way, without figning, all w^{ch} being confidered, I can not agree to that bill without that Amendment, that there fhould be reafonable fees fett for ye officers to be paid by ye owners of ye Goods, merchandizes, fervants and flaves.

X^{ber} 9th 1685*E ffingham*

Since you can not be prevailed with to make ye allowance to ye Clerk of ye Gen^l Affembly, as was thought fitt, y^r laft anfwer is allowed of.

*E ffingham*Col *Lemuel Mafon &c* p^{re}sents ye following paperX^{ber} 9th 1685*By ye House of Burgeffes**May It Please y^r Excellency*

This houle having caufed to be read and feriously weighed y^r Ex^{cies} meffage in writing this day fent to them by Mr *Chilton* relating to ye Bill for Ports &c are much furprized to finde y^r Excellency concludes them under a great miftake, when they infist
ye

ye Bill is agreed to by y^r Excellency & ye Councel, and therefore hath ye force of a Law, and can not with[out] ye authority of another Affembly admit of or receive any alteration or addition.

This pofitive affirmation this houfe begs leave a fecond time to make to y^r Excellency, from which they can not in ye leaft deviate, y^r Excellencies and ye Councels affent to ye Bill being before them under ye Teft of *Edward Chilton* Clerk of ye General Affembly, w^{ch} beares date ye firft of this infant *X^{ber}* and therefore this houfe humbly hopes, that att ye reading ye fair engroffed Bill, y^r Excellency will pleafe to figne ye fame, as ye Speaker of this houfe will likewise doe, according as hath been all along cuftomary for ye better authenticating thereof, after ye fame hath been made publick by being read before y^r Excellency, ye Councel and ye houfe of Burgeffes, w^{ch} is and hath alwaies been held a full & fufficient publication of ye Lawes, of w^{ch} fubfcription this houfe humbly prayes y^r Excellency will affure them.

And now becaufe this houfe are defirous, (as their duty is) to give y^r Excellency all ye fatisfaction poffible, that what they propofe is well becoming them, they humbly offer to make anfwer to ye other particulars by y^r Excellency mentioned in ye aforefaid written meffage.

Y^r Excellency is pleafed to fay, that there being a Town in each County, It will be impoffible for a Collector to be att all places, & therefore there muft be an officer appointed and allowances made, or elfe ye Law will never be practicable; and as ye act propofes ye fecurity of his Maj^{ties} revenue, this will much diminifh it, and it was never known, that officers were appointed & noe fees allowed.

This houfe moft readily concede, that as ye Collectors have hitherto acted, to make all mafters, merchants &c waite their pleafures att their houfes, and not only foe, but ye uncertainty of finding them there to enter and clear fhips, would be too burthenfome for merchants and traders &c, for every entry of Goods, to be forced thither, and that therefore It will be of abfolute neceffity, as wel for ye reafonable encouragement of Trade, as ye advancement & better Securing his Maj^{ties} Cuftomes, that att each Port a Collect^r or Officer doe refide (ye w^{ch} to appoint is in y^r Excellencies authority, and ye falary allowed out of ye faid revenue being ten *℥ Cent* is foe confiderable, that y^r Excellency needs not doubt to find fitt *℥* fons humble fuitors for fuch employ, who noe doubt will be found faithfull therein, and willing to give fuch fecurity therefore, as y^r Excellency fhall require, and for ye other fees due to ye Collectors for entring and clearing fhips and giving Cocquets for Tobaccos to be fhipt, his Maj^{ties} Lawes and ye Lawes already made here doe well and fufficiently provide.

And farther *May It Pleafe y^r Excellency*, this houfe begs leave to affirme to y^r Excellency, that they well apprehend, that when ye Act for Ports takes place, if ye officers appointed for his Maj^{ties} Cuftomes *℥* forme their duty, as they ought & eafily may, his Majesties revenue here will be found to encrease very confiderably, that of ye Impoft of two fhillings *℥* hhd, not unlikely a fourth part, that of one penny *℥* pound upon Tobaccos more than double, and ye like may be hoped of ye Impoft upon liquors.

ffor as ye manner has hitherto been ufed by ye Collectors taking Entries inwards and outwards, this houfe prefumes to acquaint y^r Excellency, noe mafter, merch^t or Trader needs to make Entry or pay duties for more goods, than himfelfe pleafes to tell the Collector he hath imported or is ready to export, and as their humour leads them to be more or lefs honeft therein, even foe they pay more or lefs Cuftome.

This Houfe moft humbly begs y^r Excellencies pardon, if in thefe intimations, they have too far prefumed, it proceeding from their loyal zeal to his Maj^{ties} intereft, and ye welfare of thofe whom they represent.

Signed by order of ye Houfe of Burgeffes

Robert Beverley Clk Aff^{ly}

The two following meffages are prefented to his Excellency by Mr *John Braffeur* and others of ye houfe of Burgeffes.

X^{ber}

X^{ber} 9th 1685*By ye House of Burgeffes*

It being resolved by ye house of Burgeffes, y^t a Committee should treat and agree with ye Hon^{ble} Col *Phillip Ludwel* for making & finishing an office for ye Hon^{ble} M^r *Secretary*, in ye room of ye state house opposite to that for holding General Courts; It is reported to ye house, that an agreem^t is made with ye said Col *Ludwel*, y^t he doe build and finish an office in ye said room, according to ye propofal from his Excellency and ye Hon^{ble} Council; and that a well made partition be made therein, one part whereof to be for ye Clerks writing, and receiving p sons coming thither upon businesse, and ye other for ye placing ye Records, and other papers in; In confideration whereof, y^t y^e f^d Col *Ludwell* have thirty pounds *sterl* paid him, from ye Imposition of three pence p gallon upon liquors, and that M^r *Auditor* be desired to satisfye ye same by ye first day of X^{ber} next.

Read in ye house allowed and approved of, & resolved that his Excellencies & ye Councils concurrence be desired therein.

Test Rob^t *Beverley* Clk Aff^{ly}X^{ber} 9th 1685*By ye House of Burgeffes.*

Resolved, that Col *Tho: Ballard*, Maj^r *Arthur Allen*, Maj^r *Sam^t Swan* and M^r *Henry Hartwel* or any three of them doe treat and agree with ye Hon^{ble} Col *Ludwel* about railing with railes and banisters of Locust & Cedar laid double in Oyle, and as close as may be ye forepart of ye state house of convenient height and att convenient distance from ye house & report their agreement when made to this or ye next session; his Excellencies and ye Council concurrence is desired herein.

Rob^t *Beverley* Clk Aff^{ly}

Ordered, y^t ye Clerk carry ye following message to ye house of Burgeffes

X^{ber} 9th, 1685*By his Excellency*M^r Speaker

I have received y^r answer to what I sent you in ye morning and continue my opinion, that you are still under a mistake in thinking any bill (though agreed to by you and ye Council) should have ye force of a Law, until it be publickly read before me, ye council & ye House of Burgeffes, and then signed by me, and you as Speaker; I appeal to y^r selves, whether any Bill in *England*, though agreed to by ye Lords and Commons, and fairely engrossed, hath any force, before ye Royall Assent confirms it; should I allow It otherwise to be authentick, I should destroy his Majesties Prerogative in his negative voice, w^{ch} Jewel he hath entrusted with me, w^{ch} God willing, I will preserve, therefore shall not passe that Law for Ports &c unlessse that clause be allowed of, w^{ch} I last sent to you,

And whereas you further intimate, that it will be ye encrease of his Maj^{ties} Revenue of two shillings p hhd, & other duties mysele and ye Council conclude ye Contrary, and that from this ground, that whereas Masters of ships, doe from ye encouragem^t of ten p Cent allowed them, and their present conveniency of dispatch, give bills of Exchange for their whole loading & take them from every individual planter in small parcels, according to ye number of hhds they ship, who being burthened by this bill you now propose with greater inconveniences & retarding their voyage by such frequent loadings and unloadings of their floops [will be discouraged from passing their bills] as formerly, and force M^r *Auditor* to accept those Bills from ye Planter, and what diminution that will prove to ye two shillings p hhd, considering ye inability & poverty of *Virginia*, is obvious.

Further I find, that you think that Masters of shippes doe make Entry and pay Duties for noe more goods, than what seem good to them; if any of y^r house know any such Master, pray informe me, that they may be dealt withal, according to Law, but bonds being given in *England* and there ye Cocquets signed by y^e Commiffioners of ye Custome house for goods imported as likewise for all other his Majesties Plantations & the Collectors giving them their Oaths for goods exported & taking bonds according to Law in that case provided & Certifying to ye Commiffioners of his Majesties Custom houses

houfes ye loading of every individual fhip; and there being noe port in his Majefties Dominions, where there is a Cufdom houfe, but ye waiters attending have a certaine fee for every parcel of goods, that is either imported or exported, makes me conclude it ye beft way for fecuring his Majefties Dues; and whereas you feem to reflect as if ye Collectors had been deficient in ye difcharge of their duties, I have ever fince I was Govern^r made it my great care to difcover, but never yet found any ground of ye leaft fufpicion; and if any P^{er}fon fhould make a juft complaint to me ag^t any of them, I fhall willingly receive it that they may be made examples for ye future, all w^{ch} being confidered, I fhall not recede from my former refolution.

Effingham

By His Excellency & ye Councel.

As to ye agreement made by y^r houfe with Col *Ludwel* about making a fitt and convenient office for M^r *Secretary*, wee agree,

Wee doe likewife agree to ye propofal of y^r houfe to be made to Col *Ludwel* about ye railing in ye fore part of ye Court Houfe.

E Chilton Cl Gen^l Aff^{bly}

X^{ber} 9th 1685

X^{ber} 10th 1685

ORDERED y^t y^e Clerk of ye General Affembly goe to ye houfe of Burgefles and defire of M^r *Speaker* ye firft bill propofed by their houfe for Ports &c, his Excellencies anfwer thereto; as likewife ye Bill appointing one Port in each County be fent to his Excellency.

Col *Tho: Ballard*, Lt Col *W^m Loyd*, &c bring ye above Bills and anfwers.

Ordered y^t ye Clerk carry ye following meffage to ye houfe of Burgefles.

X^{ber} 10th 1685

M^r Speaker

Since my anfwer to what y^r houfe fent yefterday, I have perufed and confidered ye Bill for Ports &c Affented to by ye Councel and find in ye amendment of ye firft propofition for forty five Townes where ye Councel propofed there fhould be two Townes in a river It was there added in ye ninth page, that there fhould be fees appointed by Law for ye officers att each Town; and when y^r houfe propofed to me and ye Councel on ye 30th of 9^{ber} that inftead of two Ports &c in a river, there might be one in a County, that to all ye other alterations and amendments made by ye Councel in ye Bill you had agreed to; whereupon ye Bill paffed ye Councel ye firft of *X^{ber}* but when you fent y^e Act drawn out att large, wee found that you had not appointed fees for fuch officers, w^{ch} was one of ye amendments made, and indeed a moft material one for his Majefties fervice & ye fecuring his duty; and therefore you have gone all along upon a miftake, infitting that ye appointing fees for officers was never in ye Bill, w^{ch} now clearly appeareth otherwife; and if it was thought neceffary, that fees fhould be eftablifhed for officers, when but two Townes in a river, than *a fortiori*, when there is one Towne in each County.

Effingham

The Clerk carries ye following meffage to ye houfe of Burgefles.

By His Excellency

M^r Speaker

I find y^r houfe fo delatory in y^r proceedings and have fatt foe long to foe little purpofe, that I am afhamed to give his Majefty an account of it, and you may be much more to thofe that fent you hither, therefore I think it high time to let you know, that I expe^{ct} that bill about Ports &c fhall paffe with that amendment I laft fent, or laid wholly afide, and foe forthwith proceed to ye proportioning ye Levy, elfe I fhall fooner, than perhaps you expe^{ct}, put a period to this convention. I have in every thing, that was defired, confented to eafe ye Leavy, but I find you intend by y^r long fitting to advance it beyond a parrellel; had that claufe, when agreed on, been inferted, it had prevented

vented all disputes; whether it proceeded from ye negligence, or other waies of y^r Clerk, I leave you to examine, but for either, he ought to be made an example; what greater charge may burthen ye Countrey by ye continuance of ye foldiers att ye heades of ye rivers, or ye inconveniences happen, fhall lye att y^r doors,

Effingham

X^{ber} 10th 1685

X^{ber} 11th 1685

COL Arthur Smith &c p^{re}sents ye following meffage

X^{ber} 11th 1685

By ye House of Burgeffes

To His Excellency Francis Lord Howard, Baron of Effingham, his Majesties L^t and Govern^r Gen^l of Virg^a

This house in answer to y^r Excellencies meffage even now recd doe unanimously p^{re}sent, that they have already foe fully answered this y^r Excellencies proposition about ye Bill for Ports &c & rendered such reasons, why they foe earnestly pray y^r Excellencies p^{ro}mise to subscribe ye faire drawn engrossed Bill, without ye addition of a table of fees for officers annexed thereto, that they can not doe more, than renew ye same requests, of w^{ch} being assured from y^r Excellency, they fhall cheerfully & readily put themselves upon ye proportioning ye Levy, & finish all other things necessary for ye speedy determination of this session.

Signed by order of ye house of Burgeffes

Robert Beverley Clk Aff^{bly}

Ordered, that ye Clerk carry ye following meffage to ye house of Burgeffes

By His Excellency

Mr Speaker.

Since my last to you I have perused his Majesties Commiffion to me, and that I may leave you with out excuse, I have herewith sent you a clause thereof, whereby you may be informed, that though ye Councel, nay, though myfelfe had assented to any bill by you presented to us, yet I have a negative voice, as wel in ye passing, as in ye making those Lawes, but that you may see, how willing I am, that an amicable end may be made to this meeting, I am still willing, that it be presented to his Majesty, that his Majesties pleasure may be known therein; when you have well considered that clause of his Majesties Commiffion to me, I cannot but hope, for y^r ready & cheerful obedience to ye same.

Effingham

X^{ber} 11th 1685

The Clause follows

And to ye end nothing may be passed or done by our said Councel or Assembly to ye prejudice of us, our heires and successors, wee will and ordaine, that you ye said *Francis Lord Howard* fhall have and enjoy a negative voice in ye making and passing of all Lawes, statutes, and ordinances.

Capt: *Hen: Applewhaite* &c, brings ye following meffage.

X^{ber} 11th 1685

By ye House of Burgeffes

To his Excellency Francis Lord Howard, Baron of Effingham, his Majesties L^t and Govern^r General of Virginia.

Whereas y^r Excellency is pleased to say in y^r last meffage to this house, that although ye Councel, nay, yfelfe had assented to any Bill by us presented to y^r Lordship, that you still had a negative voice, and to evince w^{ch} have sent to this house a clause of y^r Excellencies Commiffion relating thereto, w^{ch} clause has long before by this house been maturely & deliberately considered.

And

And this house, as they have by their several former messages constantly owned y^r Excellency to have such negative voice in ye making or passing all Lawes, foe they unanimously agree, that y^r Lordships assent being once obtained, to any Bill, it can not faile of having ye force of a Law, until his Majesty himselfe signifye his *Nolumus*, or it be destroyed by ye same power, that made it, wherefore this house most earnestly supplicates y^r Excellency to give them y^r Assurance of signing ye fair engrossed bill for Ports together with ye other bills this session Assented to by y^r Excellency, and this house will most willingly & readily proceed to ye proportioning ye Levy, that an end may be put to this.

Signed by order of ye House of Burgeffes

Robert Beverley Clk Asssembly.

X^{ber} 12th 1685

COL John West &c brings ye following paper.

X^{ber} 11th 1685

By ye House of Burgeffes.

To His Excellency Francis Lord Howard, Baron of Effingham, his Majesties L^t and Govern^r General of Virginia

May It Please y^r Excellency.

This house doe sorrowfully receive y^r Excellencies two written messages, ye one dated ye 9th ye other ye 10th instant about ye Bill for Ports &c In Answer to w^{ch} they are necessitated to reiterate to y^r Excellency, y^t ye said bill is before them plainly & in expresse words assented to by y^r Excellency and ye Council, under ye Test of *Edward Chilton* Clerk of ye General Asssembly, w^{ch} this house looks upon stil (as ever it hath been held) too carry foe much ye force of a Law, that it can admit of noe alteration or addition, without ye authority of a succeeding General Asssembly, from w^{ch} averment this House can in noe waies depart.

And whereas y^r Excellency is pleased to say, wee lye under a mistake in thinking any Bill, though agreed to by this house, and ye Council, should have ye force of a Law, until it be publickly read before y^r Excellency, ye Council and this house, and then signed by y^r Excellency, and our Speaker, and in that appeal to ourselves, whether any bill in *England*, though agreed to by ye Lords and Commons, and fairly engrossed, hath any force, before ye Royal Assent confirms it, and thereto y^r Excellency is pleased to add, that should y^r Excellency allow ye bill otherwaies to be authentick, you should destroy his Majesties prerogative in his negative voice, w^{ch} Jewel he hath entrusted y^r Ex^{cy} with, and w^{ch} God willing, y^r Excellency will preserve, and therefore shall not passe ye bill for Ports &c without ye addition of other matters and clauses then is mentioned in ye said bill foe assented to as aforesaid.

This house begs leave to informe y^r Excellency, that it never entered into their thoughts, that any bill, though agreed to by ye Council and this house, did thereby take any life before y^r Excellencies Assent alfoe was obtained to ye same, and this house alwaies understood, that though such agreement were, y^r Excellency as his Majesties representative, hath ye undoubted right of a negative voice; but in ye matter of this bill for Ports, And all other ye bills sent this session from this house to y^r Excellency and ye Council, y^r Excellencies assent is obtained for ye said bills, having first passed ye votes of this house, were severally sent to y^r Excellency and ye Council for approbation, concurrence and assent, And ye said Bill for Ports amongst divers others is returned to this house Assented to by y^r Excellency and ye Council, as ye same is fairly engrossed, without any distinction of having, as y^r Excellency expressees it, ye Assent of ye Council only, who this house must and doe own in this Government *quatenus* ye upper house, or that of Lords, in relation to ourselves ye Commons of this his Maj^{ties} Dominion of *Virginia*, and therefore in a Parliamentary method or proceeding may concur, but not assent

affent or give life to any Law, being equally subjects to one & ye same monarch, though moving in a higher station, and for that ye bill for Ports &c as aforefaid has passed this house, and been sent to y^r Excellency and ye Councel; wee never yet knew, but on ye contrary find by former proceedings of Affsemblies, that a bill returned with these words, *affented to*, attested by ye Clerk of ye General Affsembly, was ever questioned, disputed or altered by ye Govern^r but readily subscribed, when presented in fair engroffment, otherwaies Its presumed, this bill amoungst others had not been returned soe attested.

And in answer to y^r Excellencies message of yesterdaies date, wherein (to use y^r Excellencies words) y^r Excellency is pleased to say, that in ye said bill for Ports &c affented, y^r Excellency observes in the amendment of ye first proposition of forty five Ports, wharfes, Keys & places, where ye Council proposed there should be two Townes in a river, It was there added in ye ninth page, that there should be fees appointed by Law for ye officers att each Town, and when this house proposed to y^r Excellency and ye Councel ye 30th of 9^{ber} that instead of two Ports &c. there might be one in a County, and that to all other ye alterations and amendments made by ye Councel, in ye Bill, this house had agreed to, whereupon ye bill passed ye Councel ye first of December, but when ye Act came from this house drawn out att large, y^r Excellency and Councel found, that this house had not appointed fees for such officers, w^{ch} was one of ye amendments made, and y^r Excellency is pleased farther to say, that indeed that amendment is a most material one for his Maj^{ties} service, and ye securing his duties, and that therefore this house have gone all along upon a mistake, infisting yt ye appointing fees for officers was never in ye bill, as it now clearly appeareth otherwaies, and if it was thought necessary, that fees should be established for officers, when but two Townes in a river, then *a fortiori*, when there is one Towne in a County.

This house beg leave to observe to y^r Excellency, that in ye said bill for Ports, as ye same came first from this house to y^r Excellency was inserted this following clause or paragraph, *and forasmuch, as it appeares, that several unlawful & indirec^t meanes & devices are daily put in practice to export and import goods & merchandizes out from and into this his Majesties Dominion of Virginia to ye great defrauding ye Kings most Excellent Majesty of his dues and Customes here, as wel by secret, and deceitful designs, as by open force and violence used ag^t ye Kings Majesties Officers employed in ye affaires of ye Customes viz: ye Impost of two shillings & hhd upon all Tobaccos exported, ye Impost or Custome of one penny & pound for all Tobaccos going from hence, to any other his Maj^{ties} Plantations, and ye Impost or duty of threepence & gallon, on all wines, brandy, rum &c imported into this his Maj^{ties} Dominion of Virginia, and not having first paid his Majesties Customes in England, and coming directly from thence; for ye better prevention of w^{ch} frauds and violences in time to come, and for ye encouragem^t of trade and ease of merch^{ts} traders hithers, masters of ships, mariners, and other y^r Inhabitants of this his Maj^{ties} Dominion of Virginia, that from and after ye said twentieth day of September 1687, ye officers appointed by his Majesty to make entry of all ships and vessels coming into and trading in this his Majesties Dominion, and to collect and receive his Majesties several Customes due for all goods and merchandizes to be imported or exported, shall in their own p^{ers}ons, or by their several Deputies, reside daily in every of ye before nominated Ports, wharfs, Keys, or places, within their distinct and several districts, there to receive and make entry of all Tobaccos, goods and merchandizes to be exported or imported, according to such rules & directions, as shall from time to time be given them by his Majesty, his Majesties Govern^r here, or such other, as his Majesty shal please to authorize thereto, w^{ch} said part of ye said bill is ye only part that enjoines officers to reside att ye said Ports, wharfes, Keys or places, and is by y^r Excellency and ye Councel marginally noted with these following words viz: *This is particularly & more effectually provided for by Act of Parliament, and by Instructions from ye Commissioners of his Majesties Customes in England, than wee can doe here, therefore ought to be omitted.**

To w^{ch} amendment or omission in ye said bill, this House agreed and caused ye faire engroffem^{nt} thereof to be drawn leaving ye said clause or paragraph wholly out, and consequently

consequently medled not att all with appointing officers to reside att all or any one of ye fingle Ports, wharfes, Keys or Places in each respective County, nor with fetling fees to fuch officers, as by his Majesty or y^r Ex^{ci}es Commands fhould be appointed (in time to come) to reside there if any fuch fhall happen to be foe appointed, in that wholly submitting to And concluding with y^r Excellencies and ye Councels direction therein.

And to what y^r Excellency is pleafed to return to this houfe in anfwer to that part of their late humble propofal to y^r Excellency, that it will be for ye advancement and better fecuring his Maj^{ties} Cuftomes that att each Port an Officer be appointed to reside to take notice and make entry of all Goods, lyable to Cuftome, or other impofition before fuch goods fhall be fhipped of, for exportation or admitted to be taken on fhore into ye Importers poffeffion, after which I'ts utterly impoffible to know or find out, whether ye fame have duely paid ye Cuftomes due to his Maj^{ty} viz: that y^r felfe and ye Council conclude ye contrary from this ground, that whereas now mafters of fhips doe from ye encouragement of ten p cent allowed them, and their prefent conveniency of difpatch give bills of Exchange for their whole loading, and take them from every individual planter in fmal parcels, according to ye number of hhd's they fhup, who being burthened by ye bill for Ports, with greater inconveniencies, and retarding their voyage by fuch frequent loadings and unloadings of their floops will be difcouraged from paffing their bills, as formerly, and force M^r Auditor to accept thofe bills from ye Planter, and what a dimunition that will prove to ye two fhillings p hhd confidering the inability and poverty of *Virginia*, is obvious.

This houfe in all humility, out of their loyal zeal to his Maj^{ties} Intereft and hearty defires of rightly informing y^r Excellency therein, can not think themfelves difcharged of their duty, if they fhould not this once more affure y^r Excellency, that it is a plain, undoubted, and demonftrative truth, that his Majefties revenue here of ye two fhillings p hhd & penny p pound on Tobaccos, and alfoe ye Impoft of three pence p gallon on liquors will be much better difcovered and fecured to be more duely and fully paid, when ye bill for Ports fhall take effect (if officers be made to reside there, then now it is or poffibly can be, except it be allowed and granted, that mafters of fhips who goe for *England*, and are lyable for ye impoft of ye two fhillings p hhd, and other merch^{ts}, mafters or traders, who export Tobaccos lyable to ye Cuftome of one penny p pound, as alfoe thofe traders hither, who import liquors lyable to ye duty of three pence p gallon, will all of them be foe confcientioufly honeft, as to make true entry and confequently pay ye full Cuftomes due, for as ye management hath hitherto all along been, i'ts impoffible to difcover ye frauds ufed therein, ye mafter or merch^t not making any entry of what he hath on board for exportation, until his fhup is on ye point of failing, nor ye Importer oblidged further, than on his own word to tell ye Collectors, what liquors he hath on board lyable to ye duty of three pence p gallon, on w^{ch} he receives a lycence to trade, and paffes where he pleafes with his fhup or veffel to deliver and unload, without further fearch or enquiry by any officer, whether true entry or report hath been made with the Collector.

And whereas y^r Excellency is pleafed to fay, that there is noe Port in his Majefties Dominion, where there is a Cuftom houfe, but ye waiters attending have a certaine fee for every parcel of Goods, that is either imported or exported, w^{ch} makes y^r Excellency conclude it ye beft way for fecuring his Maj^{ties} dues; This houfe in noe fort difagree thereto, and beg leave they may farther add, that they alfoe beleive, there is noe place in his Majefties Dominions befides this, where there is not certaine Ports and Places appointed and fet for fhipping of and receiving on land all goods and merchandizes exported or imported, w^{ch} are lyable to pay duties, and Cuftome houfes erected, where ye officers are bound to give due attendance for ye exporter or importer to make Entry & receive Cocquets.

And forasmuch as this Bill for Ports can not take effect until ye 20th of 7^{br} 1687, if his Majesty fhall pleafe to direct & Command officers there to attend and reside, and what fees It fhall be lawful for them to dem^dnd and receive, when ye fame fhall be known, they will undoubtedly be complied with; and therefore this houfe doe now againe make
humble

humble fuit to y^r Excellency to give them affurance of y^r Excellencies fubfcribing ye fair engroft Bill, as ye fame hath paft in all respects equally affented to with other Bills, and hath coft foe much time in debate

Signed by order of ye Houfe of Burgefles

Rob^t Beverley Clk Aff^{ly}

Ordered, that ye Clerk goe to ye houfe of Burgefles, & acquaint M^r *Speaker*, that his Excellency commands him and ye reft of the houfe of Burgefles, to come to his Excellency & ye Councel in the Court Houfe.

Col *Tho: Ballard* &c comes into ye Court houfe and prefents ye following meffage.

X^{ber} 11th 1685

By ye Houfe of Burgefles

To his Excellency Francis Lord Howard, Baron of Effingham, his Majefties Leinutenant and Govern^r General of Virginia

May It please y^r Excellency

The reiteration of y^r Excellencies former meffages by one fent to this houfe laft night, as it can not but redouble their forrow to be eftemed delatory in their proceedings, foe does it neceffitate this houfe to repeat to and affure y^r Excellency, that they have all along with their utmoft diligence, vigour and zeale purfued ye Countries affaires, and doe confidently beleive ye good fruites of their conftant and indefatigable endeavours will give full fatisfaction to ye feveral Inhabitants of this his Majefties Dominion, by whom they are fent as representatives, and therefore conceive noe complaint therein can be juftly made unto his Majefty.

As to that part of y^r Excellencies meffage relating to ye Ports &c This houfe doe well hope, they have already fent their humble, full, and fatisfactory anfwer to y^r Excellency in their return to two precedent meffages received on ye 9th & 10th infant about ye fame.

The porportioning of ye Levy, as it is a worke that requires very little time, for ye fettlement, foe it has ufually been made one of ye laft acts of an Affembly, and been alwaies done after a general concurrence in all precedent matters.

And this houfe being very fenfible of y^r Excellencies power and authority to convene, adjourne, prorogue or diffolve Affemblies, as it fhall feem moft convenient to y^r Excellencies difcretion & wifdome, muft, as it is their duty, att all times fubmit to y^r Excellencies pleafure therein.

Nor was It ever y^e intention of this houfe by long fitting to advance y^e Levy beyond a parrallel, feveral former Affemblies have been of longer continuance, and confequently of greater charge, and It was fully hoped, that this prefent feffion would have fooner ended, had ye Bills drawn, prefented and affented to by y^r Excellency and y^e Hon^{ble} Councel received noe unufual obftacle by y^r late meffages to this houfe.

May It please y^r Excellency ye diligence, care and abilities of our Clerk have been fuch, that upon a ferious infpection into them, they can not but give him a vindication, and humbly hope a concurrent agreement of y^r Excellency and y^e Hon^{ble} Councel in ye allowance of his dutiful and obfervant management, during this whole feffion.

And this houfe doe hope, that y^e inconveniences of continuing ye fouldiers att ye heads of ye rivers can not lye att their doors, for that they have from ye beginning of this feffion continued their frequent fupplications for their difbanding & accordingly prepared a bill for ye fame, to w^{ch} y^r Excellency and ye Councel have Affented.

Affented to by ye houfe and fubfcribed by order of ye houfe of Burgefles

Teft Robert Beverley Cl Aff^{ly}

Ordered, y^t ye Clerk carry ye following meffage to ye houfe of Burgefles.

By his Excellency,

M^r Speaker.

I am forry to find you ftill foe obftinate, when I made foe moderate and reafonable a propofal, but to demonftrate to you and ye whole Countrey, how unwilling I am, that any further charge fhould lye upon them, I am willing to paffe all other bills, affented to, provided you proportion ye Levy, yt ye Country Creditors may be fatisfied their

juft

juft dues, and that bill foe much infilted on may as well be prefented to his Majefty before, as after figning, and am confident, his Majefty will fignifye his pleafure foe early therein, that it will be noe impediment to ye furtherance of ye Ports; neither had wee mett with any now, had that claufe concerning fees been inferted, as it was agreed on, therefore I defire you once againe to confider of it to prevent ye inconveniences and charge, w^{ch} will otherwife happen to ye Countrey, to w^{ch} I defire y^r Anfwer.

X^{ber} 12th 1685

Effingham

Col. *Tho: Ballard* &c comes into ye Court houle and delivers ye following meffage

X^{ber} 12th 1685

By the Houfe of Burgeffes

To His Excellency Francis Lord Howard, Baron of Effingham, his Majefties Leiuutenant and Govern^r Gen^l of Virg^a

In anfwer to y^r Excellencies meffage even now come into this houle requiring ye immediate anfwer of this houle, they moft humbly fignifye unto y^r Excellency, that they are all moft heartily forry, to obferve therein y^r Excellencies unwillingneffe to figne ye Bill for Ports &c already affented to, together with ye other Bills and which they have foe often and unanimoufly agreed and fignified to y^r Excellency, hath thereby received ye force of a Law, from w^{ch} they can in noe waies depart, and this houle doe moft heartily and readily now fignifye to y^r Excellency, that to eafe ye great and growing charge to ye Countrey, when & as foon as y^r Excellency pleafes to command, they are ready with all ye feveral fair engroffed bills to be read before y^r Ex^{cy} ye Councel and this houle, and doe humbly pray, they may be authenticated together (as ye manner heretofore hath all along been) by y^r Excellencies fuch fubfcription, this houle will with all ready diligence cheerfully proceed to what is yet unfinished, that this Seffion may take end, and they doubt not, but that ye next General Affembly will fettle by Law fuch fees for officers attending att ye feverall Ports, as fhall be propofed, and thought fitt by his Majefty or y^r Excellency.

Signed by order of ye houle of Burgeffes.

Robert Beverley Clk Affembly

Mr *Speaker* and ye houle of Burgeffes waite upon his Excellency and ye Councel, in ye Court houle, upon w^{ch} his Excellency expreffed himfelfe as followes, *viz:*

Gentlemen

Having this morning y^r anfwer to my two laft meffages, I find therein you ftill perfift in y^r opinion, that noe Bill attested by ye Clerk of ye General Affembly, as affented to, can afterwards allow of any alteration, to w^{ch} I can not in ye leaft agree, his Maj^{ty} having intrufted me with his negative voice.

But that I may fhew you a good example, and make all ye compofure, that this will admit of, and eafe ye Countrey of that great charge they labour under by y^r long fitting, and will confequently be augmented by ye charge att ye heads of ye rivers; I am willing that Bill for Ports, fhould att this time be laid by, and I will represent to his Majefty ye true ftate of this difference, and what his Majefty is pleafed to fignifye therein to me, fhall be faithfully communicated to you; and fince it will not take effect, as you well obferve till *September* 1687, his Maj^{ties} pleafure will long ere that be knowne, therefore I make this my laft propofal to you, which if received, wee fhall part good freinds, if not, you muft take what will confequently follow, and let his Majefty and ye good people of this Colony judge, who are ye obftinate.

Mr *Speaker* and ye houle of Burgeffes return to their houle; in a fhort time afterwards Mr *Speaker* and ye houle of Burgeffes came againe to ye Court houle, where his Excellency and ye Councel continued, and Mr *Speaker* comming to ye Bar read as followes

X^{ber} 12th 1685

By ye houle of Burgeffes.

Resolved nemine contradicente.

That this houle doe forthwith waite upon Mr *Speaker* to his Excellency* and that Mr *Speaker* doe in ye name of this houle acquaint his Excellency, that they can not depart

* This fhould be probably—waite with Mr. Speaker upon his Excellency.

depart from their former resolves signified to his Excellency about ye Bill for Ports &c nor give their consent, that ye bill be laid by, as his Excellency proposes, but withal since ye bill can not take effect until ye 20th of *September* 1687, This house doe most earnestly pray his Excellency to subscribe, as ye manner is, ye faire engrossed bill, to ye end it may be soe authenticated sent to his Majesty, whose royal will and pleasure being known therein, whether to allow or disallow ye same, This house doe promote in ye name of themselves and ye Commons of this his Majesties Dominion, all ready, due and cheerful submission to.

Signed by order of ye house of Burgeesses

Rob^t Beverley Clk Assembly

The Burgeesses return

His Excellency attended with ye Council leaves ye Court house.

X^{ber} 13th 1685

HIS Excellency and ye Council come into ye Court house
Ordered y^t y^e Clerk carry ye following message to ye house of Burgeesses.
By His Excellency.

M^r Speaker.

I am once again come to let you know, that I am ready to signe all ye Bills, w^{ch} have been concurred withal, unlesse that bill for Ports, and that to, if that clause for fees for ye officers were inserted, as agreed on, but if not, I am willing, it may be laid by, till his Majesties pleasure may be known therein, to which I expect y^r immediate answer, w^{ch} I hope will be according to what I have soe often desired, that ye Countrey may be eased of ye great charge of maintaining ye forces att ye heads of ye rivers, and ye Levy proportioned for ye defraying ye charge due to ye Countrey Creditors.

Effingham

X^{ber} 13th 1685

To w^{ch} answer was returned, that they could not depart from their former Resolves.

Whereupon *It was ordered*, that ye Clerk should goe to ye house of Burgeesses and acquaint M^r *Speaker* that his Excellency commanded his and ye house of Burgeesses attendance on him immediately in ye Court house.

M^r *Speaker* and ye Burgeesses being come, accordingly, his Excellency was pleased to expresse himselfe as followes.

M^r Speaker

I doe with great concerne meet you and y^r house on this occasion, because I am sensible, how great prejudice ye not laying ye Levy will be to ye Inhabitants of this Colony, and It is augmented from ye consideration, that you Gentlemen, who have hitherto been blessed with a serene and pleasant countenance from ye late King of ever blessed memory, and from his present Majesty, should now doe any thing, whereby it may be obumbrated & that especialy, Att this juncture, when all persons, within his Majestys Dominions, strive to outvie each other in demonstrations of duty and Gratitude, for his Maj^{ties} most gracious assurances to maintaine our Religion, Lawes, and Properties—for these reasons *Gentlemen* and none other, I have soe far conceded to y^r desires, even to my utmost power, unlesse I had perfidiously betrayed his Maj^{ties} trust to me.

I must confesse, considering y^r proceedings and obstinacies, I doe not now treat you in a Parliamentary way, for that would have been much shorter and sharper, but doe, as it were, parly with you, that you may be convinced of y^r errors, w^{ch} I hope you will, when you have consulted with y^r Pillowes, w^{ch} is ye motive, that I doe not att ye present dissolve you, but only prorogue you, and you are hereby, in his Maj^{ties} name prorogued till ye 20th of *October* next, unlesse I shall think fit, in the interim, to dissolve you, or convene you sooner by my Proclamation.

A True Copy

Nicho: Spencer.

ATT A

GENERALL ASSEMBLY

Begun att *James Citty* y^e first day of *October* 1685, And in y^e first yeare of y^e Reigne of Our Sovereigne Lord King *James* the Second of *England, Scotland, ffrance, Ireland, and Virginia* Defender of the ffaith &c. And thence Prorogued by two Prorogations to y^e Twentieth of *October* 1686.

Att a Generall Affembly Begun att *James Citty* y^e first day of *October* 1685, And in y^e first yeare of y^e Reigne of Our Soveraigne Lord King *James* the Second of *England, Scotland, ffrance, Ireland, and Virginia* Defender of the ffaith &c. And thence Prorogued by two Prorogations to y^e Twentieth of *October* 1686.

20 *Oct:*

HIS Excellency and the Councell being mett, the Clerk of the Generall Affembly, was Ordered to goe to the Houfe of Burgeffes, to see whether their house was full, that his Excellency might Send for them.

The Clerk returnes with answer, that as yet Severall Burgeffes are wanting

October 21th 1686.

ORDERED that the Clerk of the General Affembly goe to ye house of Burgeffes, and acquaint them, that it is his Excellencies pleasure, that they forthwith waite on him.

The Burgeffes waite on his Excellency and y^e Councell in the Court house.

The Burgeffes being Soe Come, his Excellency acquainted them, that he finds their Speaker absent, and therefore desires to know what is become of him, to w^{ch} the Burgeffes made answer, that Since their last meeting they were unhappy in y^e death of their Speaker, his Excellency then Comanded them to proceed to y^e Election of a new Speaker

The Burgeffes withdraw themselves, and soon after returne, and Present Maj^r *Arthur Allen* for their Speaker, who haveing first Endeavoured to be Excused, and Begged y^e usuall petitions, was Confirmed by his Excellency.

His Excellencies Speech to y^e Affembly

Gentlemen

I am glad to meet you here againe . . . [See J. of H. of B. 1659/60-93, p. 262.]

October y^e 25th 1686.

SOME of the Burgeffes wait upon his Excellency and acquaint him, that Since their last Meeting, severall of their house are removed by death, and Otherwaife made incapable of serving, they therefore desire, y^t Councell may be Assigned to Swear their new Elected Members.

His Excellency therupon Comiffionated Coll *John Page*, and Coll *John Lear* two of ye Councell, under y^e Seale, to Adminifter the usuall Oathes to y^e New Elected Members.

Novembr y^e 2^d 1686

SOME Members of y^e house of Burgeffes present the foll: Meffages;
To his Excellency *francis Lord Howard Baron of Effingham* his Maj^{ties} Leiv^t and Gov^r Gen^l of Virginia.

The House of Burgeffes now Affembled

Humbly present

That y^e Seale first most graciously granted . . . [See J. of H. of B., pp. 267-268.]

To

To his Excellency Francis Lord Howard Baron of Effingham, his Maj^{ties} Leiv^t and Gov^r Gen^l of Virginia, and to y^e Hon^{ble} Councell of State

The House of Burgeffes humbly present on Behalfe of themselves, and y^e whole Country the foll: Articles of Charge ag^t L^t Coll William ffitzhugh of Stafford County.

That in y^e yeare 1682, Att An Affembly begun att James Citty y^e tenth day of Novembr, there was leavyed in y^e Publique leavy, and assessed upon Stafford County, thirty two Thoufand nine hundred and thirty pounds of tobacco, payable to M^r W^m ffitzhugh, and M^r George Brent, in w^{ch} Sum Cask for y^e f^d Tobaccos was raifed, and included, and over and besides w^{ch} Sum Three Thoufand two hundred Ninety three pounds of tobacco, was Leavyed for Sallary of Receiving the f^d Tobaccos, w^{ch} makes together Thirty fix Thoufand two hundred twenty three pds of Tobacco, Notwithstanding w^{ch}, y^e f^d L^t Coll W^m ffitzhugh who was then one of y^e Burgeffes for Stafford County aforefd, att a County Court held the 3^d of January 1682, att the laying of that County Leavy, by Cunning Infnuations, and false Suggeftions to y^e Court, Concealing y^e Authentick Coppy of y^e Publique Leavy, and affuring them, that neither Cask, nor Sallery was Raifed by y^e Publique, for y^e fd Thirty fix Thoufand two hundred twenty three pds of Tobacco, and the fd Justices giving full Credit, and belief to him y^e fd L^t Coll W^m ffitzhugh, as y^e Representative of y^e County, did in their County Leavy, raife a new Six Thoufand five hundred and twenty pds of tobacco for Cask and Sallary of y^e fd Thirty fix Thoufand two hundred twenty three pds of tobacco, to y^e great wrong & Damage of y^e Inhabitants of y^e f^d County, w^{ch} being Complained of as a Grievance to y^e houle of Burgeffes, the laft Meeting of this Affembly, and Still Continued; This houle haue therefore brought this Charge ag^t y^e f^d L^t Coll W^m ffitzhugh humbly moveing, y^t y^e fd L^t Coll W^m ffitzhugh may be forthwith Ordered to refund the f^d Tobacco to y^e County, and Such ffines, Amerciam^{ts} and other punifhments may be inflicted upon him, for Such his illegall, unjust, and Oppreffive action, as y^e Merit of his Crime doth deferue, to y^e End alfo, Others may thereby be deterred from y^e like Evill practifes for y^e time to Come.

further this houle of Burgeffes Present to yo^r Ex^{ty} y^t whereas by divers Statutes, It is Enacted, that y^e Knights of Counties unduely returned, fhall loofe their Wages, yet y^e fd Coll ffitzhugh, Notwithstanding he was unduely returned a Burgefs, to y^e former Meeting, of this Affembly, and for y^t reason difmiffed from y^e fd place by y^e houle of Burgeffes, upon due and full proof of y^e matter, did att A County Court held y^e 16th day of Decembr laft pafst, in Contempt of y^e fd Lawes, by his Subtile Infnuations, and Evill practices, procure a Tax of flour Thoufand pds of tobacco and Cask, to be Impofed and Levyed upon the Inhabitants of Stafford County, as Sallary, for himfelfe as a Burgefs of this Affembly, w^{ch} was as a further demonftracon of y^e Oppreffive, unjust, and illegall practices of him y^e fd Coll ffitzhugh, being by y^e Inhabitants of that County Complained of to this Affembly, is likewise humbly presented and Submitted to yo^r Excellencies, and y^e Hon^{ble} Councells moft tender Consideration
Novembr 2^d 1686

Teft Rob^t Beverley Cl Affbly

To his Excellency Francis Lord Howard Baron of Effingham his Maj^{ties} Leiv^t and Gov^r Gen^l of Virginia

The House of Burgeffes now Affembled att James Citty
Humbly present

That for many yeares before y^e happy [See J. of H. of B., p 267.]

9^{br} 3^d 1686

M^R Christopher Robinson &c bring y^e foll papers.

To his Excellency Francis Lord Howard Baron of Effingham his Maj^{ties} L^t and Gov^r Gen^l of Virga

The House of Burgeffes now Affembled at James Citty
Humbly present

That whereas severall Propofitions, have [See J. of H. of B., p. 267.]
The

The following Bills were presented *Viz*^t

1 A Bill Declaring y^e 107th Act of Assembly made y^e 23^d day of *March* 1661/2 To be in force.

2 A Bill Repealing y^e seventh Act of Assembly made at *James City* y^e 16th of *Aprill* 1684.

3 A Bill Prohibiting County Courts to make By-Laws

The Councill's Answer, to y^e above Bills

To y^e first,

This Bill is agreed to, Excepting the Restriction of not planting tobacco after y^e last of *June*, w^{ch} is thought fitt to be Extended to y^e tenth of *July*, according to a former Law, in this Case made, and provided.

And it being the great Concerne, and Care, to keep up y^e Comodity of tobacco, It is thought fitt, that to this Act be added a Clause, providing ag^t y^e shipping of Tobacco Stalks, from w^{ch} the y^e Leafe is Stript, w^{ch} some have Directions out of *England* to doe, whereby to Defraud his Maj^{ty} of his Customs, and to keep under foot our Manufacture Tobacco; It is therefore thought fitt that this be restrained, by Imposing a Severe fine upon y^e Offender.

To y^e second

This Bill is Agreed to, *Provided*, in a Clause of y^e Act of Repeale of this Law, there be a Clause inserted, that in Case y^e Gov^r in any Exigency for y^e Safety of y^e Country, with y^e Advice of y^e Councill, shall think fitt to raise forces, that those forces be paid by y^e Country p *Diem*, att the Rate now Established by Law.

To y^e third

The Proviso of this Act leaves y^e Justices of Every County Court *ad Libitum*, in Charging the People of their Counties, tho it was not thought fitt att a former Meeting of y^e Assembly, that a Law should pass to Impower the Gov^r and Councill For y^e Ease of y^e Country, to lay a Leavy upon y^e People not exceeding twenty pounds of tobacco p pole, though Directed so to doe by his Maj^{ty}, but y^t Such Methods may be pursued for y^e Discharge of y^e County Charges; *It's Agreed*, that there be a Clause in this Act, Impowering the Justices of y^e County Courts to assess upon the Inhabitants of their Respective Counties, for the Defraying and Discharging all necessary Charges Established by Law, & alsoe for Other necessary uses of y^e County, when for y^e use of the County they find it necessary, not Exceeding ten pounds of tobacco p pole, and for y^e better Satisfaction of all persons Concerned;

It is proposed, that the Lift of Tythables be filed up att y^e Court door, y^e day of y^e laying y^e Leavy, and y^t likewise every Article of y^e Leavy be there filed, that every person may haue a Publique view of it, if they desire: *It's also proposed* that a Coppy of y^e Lift of Tythables, and Leavy soe laid, be by y^e Clerk of Every County Court transmitted into y^e Secretaries Office Annually, on y^e third day of *Aprill* Court, to y^e Intent, y^e Secretary may present the Same to y^e Gov^r and Councill, for their Examination, and Consideration; for w^{ch} Service it's thought fitt, that there be a Suitable allowance appointed this Assembly, for y^e Clerks paines, and Care therein, the Proviso in y^e Act being thus amended, this Act is Agreed to.

The foll Message is Sent to y^e house of Burgeesses

Gent^l

I haue reced yo^r Proposicon relating to [See J. of H. of B., p. 272.]

Propositions Methodizing and fforming y^e Militia of y^e Country, as neer as y^e Constitution of this Governm^t will beare to y^e Kingdom of *England*, both for horse and ffoot.

first *It is proposed*; that Such a Number of Horse & ffoot be raised in each County, as a Standing Militia thereof according to y^e Proposition [proportion] of Tythables in y^e said Counties.

2^{dly} That upon Every fifteen Tythables be assessed the finding a Man with an able Horse, well accoutred with Saddle, Bridle, Breftplate, Crupper, Carbine, Pistoll, and Sword.

3^{dly} That in each Respective County, where it shall be thought fitt y^t ffoot be raised, as well as Horfe, y^t in thofe Counties every two Tythables, who are not affeffed to find an Horfe, find an able foot Soldier, well provided with good Muskett, Bandyleers, and Belt.

4^{thly} That every Troopers pay, be upon every day of Mufter fifteen p^{ds} of tobacco, or One fhilling & Six pence, to be paid by him or them, upon whom y^e finding an Horfe and Man with ffurniture fhall be Affeffed, and for Every ffootmans pay, upon Every day of Mufter ten pds of tobacco, or One fhilling, to be paid by y^e two who fhall be affeffed to find a Man, and in Cafe any Troops of Horfe or ffoot Company, for his Maj^{ties} fervice, or y^e Defence of y^e Country, fhall be Required to be in Actuall Service more then four dayes, they fhall then be paid Each Trooper att y^e Rate of ffifteen p^{ds} of Tobacco, or One fhilling and Six pence, and Each ffoot Soldier, att ten pds of tobacco, or One fhilling ꝑ y^e Country, and to y^e Intent that Officers, may be as well Encouraged in y^e ꝑformance of their Duties, as Co^mon Soldiers, *It is propofed*, That a Cap^t of a Troop of Horfe, while he is in actuall fervice, Mufter, or Exercife, be paid one hundred p^{ds} of Tobacco ꝑ diem, a Leiv^t of Horfe fixty ꝑ diem, a Cornet, ffifty pds of tobacco, and a Corporall thirty pds of tobacco ꝑ diem, And a Cap^t of ffoot Eighty, a L^t of ffoot fifty, an Enfigne forty, and a Serjant twenty pds of tobacco; *It is alfo propofed*, that his Maj^{ties} Juftices of y^e peace of each County, not bearing Co^mand, be Excufed from ferving in their perfons, and y^t noe person, or Horfe once lifted, Either in y^e Horfe or ffoot, be Changed or Defert y^e Service, without his Co^mand^{rs} leaue, and if any Co^mon Soldier, or Officer of Horfe, or ffoot, fhall omitt the ꝑformance of their Duty, they fhall be fined for Such their Offence One hundred pds of tobacco to y^e ufe of his Maj^{ty}, towards y^e buying of Trumpetts, Colours, Drums, and Other neceffary Trophies of Warr, and y^t each Troop of Horfe, Confift of at leaft forty Eight men, befides Officers, and every ffoot Company, of at leaft fixty Men, befides Officers, And *it is propofed*, that y^e Affeffm^{ts} be made as hereafter foll *Viz^t*

Henrico—	1 Troop of Horfe.
Charles City—	one Troop of Horfe of 48 men, at leaft, befides Officers, One Comp ^a of ffoot of 60 at leaft befides Officers,
Surry—	One Troop of Horfe.
Ifle of Wight—	One Troop of Horfe, one Comp ^a of ffoot.
Nanzemond—	One Troop of Horfe, one Comp ^a of ffoot.
Low ^r Norfolk—	One Troop of Horfe, one Comp ^a of ffoot.
Eliz ^a & Warwick	One Troop of Horfe, & one Comp ^a of ffoot between them.
James City,—	One Troop of Horfe, one Comp ^a of ffoot.
York.—	One Troop of Horfe, One Comp ^a of ffoot.
New Kent	On y ^e South, One Troop of horfe, one Comp ^a of ffoot. On y ^e North, One Troop of horfe, one Comp ^a of ffoot In <i>Pomunky Neck</i> , one Comp ^a of ffoot.
Glocefter—	Two Troopes, and two Companies.
Middlefex—	One Troop
Lancaster—	Two Companies, one of each fide of <i>Currotomon</i>
Northumberland—	One Troop, One Company.
Rappahanock—	One Troop on each fide.
Northampton	One Troop
Accomack	One Troop } One Comp ^a between them.
Westmorland—	One Troop—one Comp ^a
Stafford—	One Troop.

The Horfe and ffoot foe to be raised, to be affeffed by One of y^e Councell, and three firft of y^e Co^miffion of y^e peace of each County, according to y^e Number of Tythables.
9^{br} 3^d 1686.

E. Chilton Cl Gen^{ll} Aff^{bly}

9^{br}

9^{br} y^e 4th 1686.

THE foll: Messages are Presented by Some of y^e Burgeffes.

*To his Excellency Francis Lord Howard Baron of Effingham his Maj^{ties} L^t and
Gov^r Gen^l of Virg^a
The House of Burgeffes now Affembled*

Humbly Present

That they Willingly acknowledge his Maj^{ties} . . . [See J. of H. of B., p. 270.]

By ye House of Burgeffes.

To His Excellency and y^e Councell

Upon Reading severall Bills transmitted from . . . [See J. of H. of B., pp. 271-272.]

*To his Ex^{ty} Francis Lord Howard Baron of Effingham his Maj^{ties} L^t and Gov^r Gen^l of
Virg^a*

The House of Burgeffes now Affembled

Humbly present

That Whereas yo^r Excellency has been pleased . . . [See J. of H. of B., p. 270.]

Ordered that y^e Clerk Carry y^e foll Messages [message] to y^e house of Burgeffes

M^r Speaker and Gent^l: of y^e house of Burgeffes.

His Excellency and Councell this day recēd a . . . [See J. of H. of B., pp. 272-273.]

9^{br} y^e 5th 1686

COLL *John Weft &c.* brought y^e foll: Acts: Viz^t

1st *An Act about Runawaies.*

2^d *An Act Appointing Certaine dayes for Accomack Court to be held on.*

3^d *An Act that y^e twelueth Act of Assembly made at James Citty y^e tenth
day of Novemb^r 1682, Entitled An Act for y^e Advancem^t of Manufactures of the Growth
of this Country, and for y^e better, and more Speedy payment of Debts and Leavyes
be Revived, and that y^e same doe Continue in force three yeares from y^e End of this Sessions,
and after that to y^e End of y^e next Sessfion of Assembly.*

4th *An Act that all Debts Contracted, or to be Contracted in Maryland, are, and shall
be recoverable in Virg^a in equall manner, and by y^e same lawfull waies and meanes, as thō
y^e same were, or had been Contracted in Virg^a any Law, Statute, or usage heretofore to y^e
Contrary Notwithstanding.*

5th *An Act about y^e Tare of Tobacco Cask.*

6th *A Bill [Act] about y^e Size of Stonehorfes*

The Councells Answer to y^e above Acts

To y^e first,

It is Agreed to.

To y^e Second

It is Agreed to:

To y^e third,

It is Affented to.

To y^e fourth

It was Agreed to, inferting y^e foll Clause; As *Maryland* is y^e next adjacent Country
on y^e North, foe *North-Carolina* is on y^e South; It is therefore thought Convenient, that
Credit^s in *North Carolina* haue y^e same Justice in recovering their Debts here, as *Mary-
land*, whereby We shall Testifie a just, and friendly Correspondency with Our Neigh-
bouring Countries

To y^e fifth.

This was agreed on with this alteration, *with a burnt Mark*, is a more proper
Expreffion, being in Wood, a stamp, being peculiar to Mettalls

To y^e Sixth

To this was added; This is Conceived to be a necessary Act, but are of y^e Opinion,
that to Expect Horfes of two yeares old, to be of y^e Stature of fourteen hands, is of a
Growth,

Growth, beyond what can be in some yeares Expected, *Its therefore propofed*, that y^e limitation of fourteen hands be Sett at thirteene, untill time fhall Enlarge y^e Breed of Horfes, in y^e Country, Since at prefent, there be but few Stonehorfes in y^e Country, y^t Exceed fourteen hands high. thô they be of full age, and Growth: It is alfo Observed that this Bill is not only Improperly Worded in fome of its tearms, but alfo Incongruous in fome of its fentences; w^{ch} being Confidered, and more aptly Worded, It will be agreed to.

E. Chilton Cl Gen^l Aff^{by}

9^{br} y^e 8th 1686

By his Excellency.

9^{br} y^e 8th 1686

M^R Speaker and Gent^l

As to yo^r Addrefs concerning the Quittrents [See J. of H. of B., pp. 273-274.]

9^{br} y^e 8th 1686

By his Excellency.

Mr Speaker and Gent^l:

I have reced from you an Addrefs [See J. of H. of B., p. 274.]

His Maj^{ties} 27th Instruction [See J. of H. of B., p. 274.]

9^{br} y^e 8th 1686

Upon Confideration of y^e Report made by y^e Com^{tee} of Claimes, the Councell haue thought fitt, to make y^e foll: alterations, *Viz^t* as on y^e other fide.

9^{br} y^e 8th 1686

By his Majesties Councell

The Councell haue thought fitt to appoint, and doe hereby appoint Coll *Richard Lee*, Coll *John Page*, Coll *John Lear*, and Coll *Christopher Wormeley*, four of his Maj^{ties} Councell of this Colony, to Manage y^e Conference desired by y^e houle of Burgefes, with Such as they fhall appoint of their houle, about five of y^e Clock in y^e afternoon in Coll *Byrd's* Chamber

E. Chilton Cl Gen^l Aff^{by}

The Claimes are brought by fome Members of y^e houle of Burgefes.

As to y^e Claime of Coll *Ifaac Allerton* Sheriff of *Westmoreland* County in y^e Article of feven hundred forty Eight pds of Tobacco, It was for y^e fervice of y^e Govern^t for y^e paffing and repaffing of Coll *Lee* One of his Maj^{ties} Councell of this Collony, by Order of his Ex^{cy} and Councell, for y^e Demanding y^e perfon of Coll *George Talbott*, with a fuitable attendance to His Perfon, and Coll *Talbott* being noe Inhabitant, of this Collony, and haueing no Eftate, w^{ch} if he had, noe Prifoner is lyable to pay more, then y^e fees of his Imprifonm^t, It is therefore thought fitt, that it be paid by y^e Publick.

As to y^e Claime made by y^e fheriff of *Westmoreland* County, for One thoufand Eight hundred pds of tobacco, and Cask for a Horfe loft, for y^e Conveying of an Evidence ag^t *Peter Reyly*, is not at prefent allowed, becaufe not proved according to Law, w^{ch} was Impoffible to haue been done, the horfe being Loft upon his Journey to Town, and it being ready to be made appeare, by y^e Criminall himfelfe, who was acquitted, We Defire that it may be allowed.

The Claime of Cap^t *Henry Duke* of twelue Thoufand nine hundred ninety five pds of tobacco, being reduced by yo^r houle to four hundred feventy fix pds of tobacco, is looked upon, to be a great difincouragem^t to him for y^e fervices, w^{ch} he has well p^{er}formed, and very Difproportionable to y^e allowances propofed to be made to Cap^t *Hartwell*, at y^e laft meeting, it is unufuall to make Refolves of not allowing for Services done, the Refolve may be good for y^e future, but cañot be binding to p^{ast} times; *It is therefore Propofed*, that Cap^t *Duke's* may be allowed, proportionable to Cap^t *Hartwells* allowance, or Cap^t *Hartwells* Claime reduced proportionable to Cap^t *Dukes*.

Edward

Edward Chilton was allowed by yo^r house att yo^r laft meeting for Extraordinary Services performed, as y^e Clerk of y^e Secretaries Office, the Sum of Nine Thousand one hundred Ninety fix pds of Tobacco and Cask, as by y^e Report of yo^r Committee of Claimes appeares, his account now Exceeds y^e Sum of seventeen Thousand pds of Tobacco and Cask, and moderately Rated, if you agree not to allow that Sum being justly due, yet let his allowance be equall to y^e laft, w^{ch} was the least he ever yet had;

We find y^e Claime made by Coll *Lyddall* of *New Kent*, for Severall well performed Services, and Disburfments, made, when y^e *Seneca* Indians lay upon the ffrontiers of that County, w^{ch} has formerly been foe much infifted on now againe by yo^r house rejected, to Our Admiracion, if any Regard had been made to y^e time, Disburfments, & services and what y^e fatall Confequences might haue been, if y^e method had not been Observed; *It's therefore Earnestly propofed*, that this Claime may be feriously Considered, and Suitable Satisfaction made, that it be noe discouragm^t for y^e future, for y^e Comand^r in Chiefe, to give Order, for y^e Security of y^e Country upon any Emergency, nor to thofe, to whom thofe Orders are Directed to be Executed.

E: Chilton Cl Gen^l Aff^{ly}

9^{br} y^e 8th 1686.

Coll *Smith* &c brings y^e foll A^cts

1 *An A^ct about Ports.*

2 *An A^ct Reftraining Striking and Killing of ffish. att unufuall times.*

To w^{ch} y^e Councell answered.

To y^e firft

Upon Reading and Confidering this Bill, We find it to be y^e fame in Effect, with y^e Bill prepared att y^e laft Meeting of y^e Affembly, being Senfible that it was y^e laft yeare tranfmitted to his Maj^{ty} for his Royall Confideration, We humbly applyed unto his Excellency, begging to be Informed whether his Ex^{cy} had reced y^e Refult of his Maj^{ties} pleafure therein, in w^{ch} his Ex^{cy} has been pleafed to affure Us, that as yet, his Maj^{ty} hath not been pleafed to Signifie his Comands therein, but was Advised, that as foon as his Maj^{ty} with y^e Court, fettled to y^e Confidera^con of Bufineffes att *Whitehall*, Meafure would be taken therein, and his Ex^{cy} accordingly Directed. We are therefore of Opinion that untill y^e Kings Maj^{ties} pleafure be known therein, it will not be fitt to Refolve any thing in this Bill of Ports, but that it reft untill Our next meeting.

To y^e Second

This A^ct is Agreed to.

An A^ct Eafig y^e Country of y^e Charges of apprehending Profecuting, and Executing of Criminalls.

We have fully Considered this A^ct, In w^{ch} as We are of y^e Opinion, that it is a necessary Law, to be taken under Confidera^con Soe likewise are of Opinion, that it cannot be well Setled in this maⁿer, untill y^e Lawes are Revifed, for y^e it Strikes att y^e foundation of foe many Lawes, that it is not known what Confufion it may introduce, but when the Lawes are Revifed, and a Bill by y^e Succeeding Aff^{ly} prepared, appropriating all fines and forfeitures to his Maj^{ty} to y^e ufe of y^e Governm^t to, and for y^e Defraying the Charges thereof, We fhall then readily agree, that the Charge in apprehending, profecuting, & Executing Criminalls, be borne and Defrayed out of y^e fines, and forfeitures, foe far as they will Extend to performe it, And whereas you move that his Maj^{ties} Revenues may likewise goe, towards y^e Defraying of y^e Charge of Criminalls his Maj^{ty} hath thought fitt, from time to time to Direct y^e Difpofall thereof, foe that neither We nor you, haue any power to Direct therein

The Clerk by Order Carryes y^e foll: Meffages to y^e house of Burgefles

M^r Speaker and Gent^l:

By a twelve months Confideration, I did not [See J. of H. of B., pp. 277-278.]

M^r Speaker and Gent^l:

I haue reced from yo^r house this Meeting [See J. of H. of B., pp. 276-277.]

9^{br} y^e 9th 1686

SOME Burgeffes Come, and present the foll Meffage
By the House of Burgeffes

In anſwer to y^e Returnes made by y^e Hon^{ble} . . . [See J. of H. of B., p. 275.]
 The Clerk Carries y^e foll: Meffage

Mr Speaker and Gent^l:

We haue diligently Confidered yo^r returnes [See J. of H. of B., p. 279.]

9^{br} y^e 11th 1686

COLL *John Weft &c* presents y^e foll: Paper.
By the House of Burgeffes.

May it please yo^r Ex^{cy}

This Houſe haueing in Conſideration yo^r . . . [See J. of H. of B., p. 278.]

The Houſe of Burgeffes by Comand of his Excellency Attend his Excellency and Councell in y^e Court houſe, att which time his Ex^{cy} Expreſſed himſelf as foll:
Mr Speaker and Gent^l:

ffinding matters in a forwardneſs towards a Concluſion, (and I hope a happy one) of this Seſſions, and having done what lyes in Me, towards that good End, by my ready Conceſſions, and favourable Conſtructions, and anſwers to yo^r Deſires, cannot but let you know, I wonder that there hath not been as yet, any thing Offered by you, in Order to y^e Continuance of y^e A^{ct} of three pence ꝓ Gallon on Liquors, as I acquainted you before, ſoe I doe now queſtion not yo^r Concurrence therein, Since the Benefit to y^e Country is ſoe apparent, without y^e leaſt diſadvantage to any ꝓticular Intereſt; and likewise that I find nothing towards y^e ſettlm^t of his Maj^{ties} Militia of this Collony, Eſpecially Since you deſired y^t I would propoſe ſome Meaſures to you for yo^r better Direction, w^{ch} haue been ſent you long Since from y^e Councell; yo^r Care & Duty herein, I can aſſure you, will be very pleaſing to his Maj^{ty}, and it cannot Come within my thoughts, that you will haue none, of ſoe neceſſary a Work, for y^e King and Countries Service, Eſpecially ſince I underſtand, that you haue reſuſed to Engage for y^e payment of any fforces, ſhould I with y^e Advice of y^e Councell, upon Emergency raiſe any, for the ſafety of the Country, w^{ch} now I ſhall be very backward to doe, finding they muſt be Satisfied out of my own Revenue, if I ſhould, from y^e Example you haue made Mr Secretary *Spencer* in that Caſe;

One thing more *Gent^l:* I haue to acquaint you with that his Maj^{ty} hath Succelſſively in his Comands to Me Ordered, that the tedious Seſſions of Affemblies be Regulated by Me, of w^{ch} I hope you will take Notice, as well as my Selſe.

9^{br} y^e 12th 1686

MR *Chriſtopher Robinſon &c* brings y^e foll Meffage
By the House of Burgeffes.

May it please y^r Excellency

This Houſe haueing lately Addreſſed yo^r . . . [See J. of H. of B., p. 280.]

The Clerk Carries y^e foll: Meffage.

Novemb^r y^e 12th 1686.

Mr Speaker and Gent^l:

His Maj^{ties} Inſtructions Repealing y^e Repealed . . . [See J. of H. of B., p. 280.]

Mr *Chriſtopher Robinſon &c* Preſents y^e foll Meffage

To his Excellency Francis Lord Howard Baron of Effingham his Maj^{ties} L^t and Gov^r Gen^l of Virg^a

The House of Burgeffes now Affembled

Humbly Preſent

That upon Reading, and ſeriously Conſidering yo^r Ex^{cies} anſwer to their Addreſs, about y^e fee demanded for affixing y^e Seale of this Collony, to all Inſtruments they
 Obſerve

Observe that yo^r Lordship is pleased to say, that it is Prefidentia^l in all Parts of his Maj^{ties} Dominions, and here only Differenced in the meanness of y^e fee, to what is paid in all Other parts of his Maj^{ties} Plantations, to w^{ch} We in all humility take leave to answer; That altho We are unacquainted with the Lawes and practices of y^e rest of his Maj^{ties} Plantations, & Dominions, We are well Affured that both they, and all his Maj^{ties} Subjects of this his Dominion, haue such a Right to, and Inheritance in the Lawes of his Maj^{ties} Kingdom of *England*, and y^e Liberties, and Priviledges Granted to his Maj^{ties} Subjects of that Kingdom, from whom they are descended, that noe payment by y^e name of any fee, Duty, or Other Imposition, can, or may be Demanded, Leavyed, or Raifed upon Us, but by, and with Our Own Consent, and yo^r Ex^{cy} takeing Notice, that whereas this House haue moved in their fd Address, that the same hath not been Required before y^e time of yo^r Ex^{cles} Government, (w^{ch} We hope will Continue over Us) and that None of yo^r Hon^{ble} Predecessors had the like reason of Demanding it, as yo^r Ex^{cy} hath by yo^r Com^{ission}, (unless the Lord *Culpeper*) w^{ch} Impowers, and Directs yo^r Lordship to keep, and use the Seale, and y^t y^e affixing the same to all Instruments, being foe necessary to make the same Authentick, it cannot be Expected that yo^r Excellency Should pass by the Moderate profits of that part of yo^r place of Gov^r, and Otherwise then what shall be moderate, and just, yo^r Lordship will never Offer at.

This House haueing with hearts full of Loyalty, and dutyfull Obedience to Our Gracious Sovereigne (whom God Preserve) and that Difference, and Respect, that is due to yo^r Ex^{cy} duely Weighed and Considered the Same, not out of any undutifull humour of disputing any Lawfull Com^{mand}, but out of a tender Sence they haue, of how fatall Consequence it might be, to all his Maj^{ties} Loyall Subjects, of this his most Ancient Collony, and Dominion of *Virga* if it should be in the Power of y^e Gov^r thereof, for y^e time being, to Demand, and Receive any Sum or Sums of money or Tobacco, under any Colour or pretence whatsoever, Except the same be Consented to by y^e Gen^l Assembly, and by their Authority Established.

And therefore Once againe, in the name of Our Selues, and all his Maj^{ties} Subjects of this his Dominion, doe humbly Intreat yo^r Ex^{cy} to giue Strict Order, that noe fee be Demanded or taken, for affixing the Seale to any Instrum^{ts} but such as either is, or shall be appointed by Law.

9^{br} y^e 11th 1686

Signed by Order of y^e House

Arthur Allen Speaker

The Clerk Carries y^e foll: Messages

By his Excellency

As to yo^r Address [See J. of H. of B., p. 280.]

9^{br} y^e 13th 1686

M^R Speaker, and Gent^l:

Upon a Serious Consideration [See J. of H. of B., p. 281.]

His Excellency Sent to y^e House, being in y^e Court house, to acquaint them, that he is ready to pass those Bills.

Agreed to by y^e Councell

M^r Speaker and the House wait upon his Excellency and Councell

These following Lawes are Read, and Signed by his Excellency and M^r Speaker.

Viz^t

- 1 An Additional Act about Runawaies.
- 2 An Act Declaring Maryland and North Carolina Debts Pleadable.
- 3 An Act Reviving the Act Entituled An Act for y^e Advancement of Manufactures of the growth of this Country.
- 4 An Act Repealing y^e 17th Act of Assembly made y^e Eighth of June 1680.
- 5 An Act Ascertainning dayes for Courts In Accomack County.
- 6 An Act Regulating the Tare of Tobacco Hogsheds

7 An Act Declaring the 107th Act of Assembly made y^e 23^d day of March 1661/2 to be in fforce

8. An Act for y^e better Improveing the Breed of Horses.

M^r Christopher Robinson brings y^e foll: Message

9^{br} y^e 12th 1686

By the House of Burgeffes

Upon Reading Certaine Propositions for Methodizing and fforming the Militia, Resolved Unanimously by the House, That the same Cannot be putt in practice, without bringing an insupportable Charge upon the Inhabitants of this Country, This House Conceiving y^e Lawes already made, doe Sufficiently provide, (according to y^e Abilities of this Country) for y^e safety thereof, And for fforming and Methodizing the Militia, This House Conceives it properly belongs to his Excellency as his Maj^{ties} Leiv^t and Gov^r of this his Maj^{ties} Dominion.

Tert Robert Beverley Cl Aff^{bly}

9^{br} 15th 1686

M^R Speaker and Gent^l.

In answer to yo^r last message relateing to Coll Byrd for a Gratuity, for his trouble in the *New York* voyage, We well Approved thereof, but what Concernes M^r Jenings, We think it too farr short, he being Ordered by his Ex^{cy} as an Assistant to Coll Byrd, and if Coll Byrd had failed, was Impowered to take y^e full p^{er}formance of Coll Byrds Instructions upon him, therefore We propose that he be allowed twenty five pounds *Sterl.* y^e Other being too meane for any Gent^l Employed in foe Signall a Service to accept of.

It is much Admired, that foe little Regard has been had to Coll Lyddalls Claime; It is therefore againe Recommended to yo^r house; We desire that it may be Considered and allowed, Otherwise the Gent^l that has been att great Expence, in Expectation of y^e Recovery thereof, muft sink under that Burthen, and future Govern^{rs} discouraged from issuing the like Orders, upon any Emergency.

In y^e p^{er}usal of yo^r Claimes We find noe mention made, of any allowance made to M^r Sherwood for y^e Councell Chamber. We therefore Desire that it may be Considered, and Orders taken for his Satisfaction, according to y^e Agreement Between us att yo^r last meeting.

These Amendments being Agreed to by you, all the rest of y^e Claimes are allowed of
By the Councells Comand

9^{br} y^e 15th 1686

E: Chilton Cl Gen^{ll} Aff^{bly}

Cap^t W^m Randolph &c. brings y^e foll: Bills, *Viz^t*

1. A Bill Continuing the Imposi^{ti}on on Liquors

2. A Bill Directing how Publique Claimes shall be Certified for allowance.

The Councells answer

To y^e first, This Bill is Agreed to.

To y^e second. This Bill is Agreed to, Provided y^e Sheriff of *James City* County, who is at foe much greater Charge and trouble, then any Other, by his indispensible Attendance, with himfelfe and Officers, three Weeks, at each Gen^{ll} Court; We therefore *Propose*, that he may be ascertained Ten Thoufand pds of tobacco and Cask Annually by the Publique.

E: Chilton Cl Gen^{ll} Aff^{bly}

M^r Speaker and Gent^l:

We fully Agree to y^e Claimes Agreed on by yo^r House upon p^{er}usal of yo^r Message the last night reced. We believe it a Mistake when you affirme, the fforming and Methodizing the Militia only belongs to his Excellency, as his Maj^{ties} L^t and Gov^r of this

this his Maj^{ties} Dominion, w^{ch} formes and Methods in *England* are Settled by Act of Parliament, and soe Ought here by Act of Affembly, w^{ch} when Once Setled, the Comand Resides in his Majesty there, and in his Leiv^t by his Comicon here;

By Comand of y^e Councell

E: Chilton Cl Gen^l Aff^{bly}

9^{br} y^e 15th 1686

Ordered that the Clerk of the Gen^l Aff^{bly} goe to y^e house of Burgeffes, and Signifie that his Excellency is ready in y^e Court house to pass y^e remaining Bills, M^r *Speaker* and the House of Burgeffes wait upon his Excellency and Councell in y^e Court house.

Where These foll: Lawes being Read, are Signed by his Excellency and M^r *Speaker*:
Viz^t

An Act Repealing y^e Seventh Act of Affembly made att James Citty, the 16th day of Aprill 1684.

An Act Continuing the Imposition on Liquors.

An Act for Raifing a Publique Leavy.

His Excellency then Caused his Maj^{ties} Letter Concerning the Irregularities of the last Meeting of the Affembly to be Read, and Ordered it to be Recorded both in the Councell, and Affembly Records.

Upon which his Excellency did in his Maj^{ties} Name Diffolve the Affembly.

9^{br} y^e 15th 1686.

A True Copy

E Chilton Cl Gen^l Aff^{bly}

ATT A

GENERALL ASSEMBLY

Begun att *James Citty* the Nineteenth day of *Aprill* 1688, and
in the fourth yeare of the Reigne of Our Sovereigne Lord
King *James* the second, of *England, Scotland, ffrance, Ireland*
and *Virginia*, Defender of the ffaith &c. and thence Pro-
rogued to y^e 24th of this Instant *Aprill*.

Att A Generall Affsembly Begun att *James Citty* the Nineteenth day of *Aprill* 1688, and in the fourth yeare of the Reigne of Our Sovereigne Lord King *James* the second, of *England, Scotland, ffrance, Ireland* and *Virginia*, Defender of the ffaith &c. and thence Prorogued to y^e 24th of this Instant *Aprill*.

[*April* 24th 1688.]

Present

HIS Excellency, Coll *Nathaniell Bacon*, Coll *William Cole*, Coll *Richard Lee*, Coll *John Custis*, Coll *John Page*, Coll *W^m Byrd*, Coll *John Lear*, Coll *Christopher Wormeley*, Coll *Ifaac Allerton*

The Houfe of Burgefles being mett, waite on his Excellency and Councell in the Councell Chamber.

His Excellency Comanded them to Returne to their Houfe, and make Choice of a Speaker.

The Burgefles withdraw themselves, and foon after Coll *Edward Hill* with Others waite on his Excellency, and Acquaint him that the Houfe of Burgefles had Elected a Speaker.

His Excellency then Comanded that y^e whole Houfe of Burgefles fhould Attend him, and y^e Councell, in the Councill Chamber.

The Burgefles waite on his Ex^{cy} in y^e Councell Chamber, the Councell being present, and present Maj^r *Arthur Allen* for their Speaker, who having firft Endeavoured to be Excused, And begged the ufual petitions of that Houfe, was by his Excellency Confirmed Speaker.

His Excellencies Speech.

Mr Speaker, and you Gent^l

It is yo^r Advantage and happyness [See J. of H. of B., 1659/60-93 pp. 291, 292.]

His Excellency with the Advice and Approbation of the Councell, Appointed and Comiffionated Cap^t *ffrancis Page* Clerk of the Houfe of Burgefles.

Wednesday April 25th 1688

MR *Peter Perry* with others waite on his Excellency, and pray that the Affsembly Records may be Delivered to the Clerk of their Houfe.

His Excellency with y^e Advice of y^e Councell, Ordered the Clerk of y^e Councell, into whose Care and Custody the Affsembly Records were Comitted, after the death of y^e late Clerk of y^e Houfe of Burgefles, for y^e fure prefervation and fecurity thereof, forthwith to deliver them to Cap^t *ffrancis Page* Clerk of y^e Houfe of Burgefles.

Mercury 25th *Aprill* 1688

By the Houfe of Burgefles

Maj^r *Scarburgh*, M^r *W^m Sherwood*, M^r *Peter Perry* & Cap^t *Lear* Are Appointed in the Name of this Houfe to Addrefs his Excellency, that Councell may be Affigned to Adminifter the ufual Oaths to the feverall Members of this Houfe

Ar: Allen Speaker

Ordered

Ordered that the Clerk of y^e Gen^l Affembly Carry the foll: Answer to y^e Houfe of Burgefles.

M^r Speaker

I have rec^d an Addrefs [See J. of H. of B., pp. 289-90.]

Coll *Richard Lee* and Coll *John Lear* two of y^e Councell were by his Excellency Comiffionated under y^e Seale to Adminifter the Oaths of Allegiance & Supremacy to thofe onely who offer to take them, but y^e Oath of a Burgef of this prefent Affembly to all.

Coll *Richard Lee* and Coll *John Lear* two of y^e Councell were by his Ex^{cy} Comiffionated under the Seale to Adminifter the foll Oath of Clerk of y^e Houfe of Burgefles to Cap^t *ffrancis Page*, who by Comifion under y^e feale was Appointed Clerk.

The Clerks Oath

You fhall Swear as Clerk of the Houfe of Burgefles to which Office you are Appointed by his Ex^{cy} y^e Gov^r, faithfully, Juftly and uprightly to make true Entries, and Journalls of all votes and proceedings of the 1^d Affembly, as from time to time you fhall Receive Orders, and Directions from them, and fhall in all things to yo^r beft skill and Judgment, Difcharge and Execute y^e 1^d Office and Truft of Clerk of y^e Affembly.

Soe help you God.

Thursday April 26th 1688

SOME of the Houfe of Burgefles bring the foll Addrefs

By the Houfe of Burgefles

May it please yo^r Ex^{cy}

It is Our Unanimous Opinion [See J. of H. of B., p. 292.]

You fhall Sweare [See alfo p. 292.]

Ordered that the Clerk of the Gen^l Affembly Carry the foll: Answer to the Houfe of Burgefles

By his Excellency.

M^r Speaker.

By the Meflage [See J. of H. of B., p. 293.]

You fhall Sweare [See alfo p. 293.]

Some of the Houfe of Burgefles waite on his Ex^{cy} with an Addrefs for a Coppy of his Ex^{cies} Speech, w^{ch} his Ex^{cy} was pleafed to fend them

Some of the Houfe of Burgefles in the Name of the whole Houfe, returne his Ex^{cy} their moft humble thanks for the Coppy of his Ex^{cies} Speech, and for his Condefcention in the Oath of the Clerk of their Houfe.

Veneris April 27. 1688

By the Houfe of Burgefles

THIS Houfe being [See J. of H. of B., p. 296.]

Ordered that W^m *Edwards* Clerk of y^e Gen^l Affembly Carry the foll: Answer to y^e Houfe of Burgefles

By his Excellency

M^r Speaker

I have rec^d [See J. of H. of B., p. 297.]

May y^e firft 1688

LT COLL *Anthony Lawfon* with three Others waite on his Ex^{cy} and Defire that Councell may be Affigned to Sweare fuch of their Houfe as are not already Sworne.

His Ex^{cy} thereupon Comiffionated Coll *John Lear*, & Coll *Xstopher Wormeley* two of y^e Councell, under the feale to Adminifter y^e Oaths of Allegiance and Supremacy to thofe only who offer to take them, but y^e Oath of a Burgef of this prefent Affembly

Assembly to all y^e Members thereof, who have not yet taken y^e Same.

Some of y^e House of Burgeffes bring the foll Resolve.

To his Excellency Francis Lord Howard Baron of Effingham his Maj^{ties} Leiv^t and Gov^r Gen^l of Virg^a.

The House of Burgeffes now Affembled

Present

That this House haveing [See J. of H. of B., pp. 298-299.]

Ordered that the Clerk of y^e Gen^l Assembly Carry the foll: Answer to y^e Resolve of the House of Burgeffes, with the Coppy of the Instruction therein mentioned to y^e House of Burgeffes.

By his Excellency

Mr Speaker

I this Morning received [See J. of H. of B., p. 300.]

Coppy of Instruction

In Case of Distress [See J. of H. of B., p. 301.]

[May y^e second.]

SOME of the House of Burgeffes bring the foll Reply and Addreffes

To his Ex^{cy} Francis Lord Howard Baron of Effingham his Maj^{ties} Leiv^t and Gov^r Gen^l of Virg^a

May it please yo^r Ex^{cy}

This House having reced [See J. of H. of B., p. 302.]

By the House of Burgeffes.

May it please yo^r Ex^{cy}

This House upon Reading [See J. of H. of B., pp. 302-3.]

To his Ex^{cy} Francis Lord Howard Baron of Effingham his Maj^{ties} Leiv^t and Gov^r Gen^l of Virg^a

The House of Burgeffes now Affembled

Humbly present

That the last Session [See J. of H. of B., pp. 301-2.]

Ordered that the Clerk of the Gen^l Assembly Carry the foll: Answer to the House of Burgeffes with the Laws as they are now Revived.

By his Excellency

Mr Speaker

To yo^r Addrefs even now [See J. of H. of B., p. 304.]

[May y^e third.]

SOME of y^e House of Burgeffes bring y^e foll Addrefs.

To his Ex^{cy} Francis Lord Howard Baron of Effingham his Maj^{ties} Leiv^t and Gov^r Gen^l of Virg^a

The House of Burgeffes now Affembled

Humbly p^rsent

That the House [See J. of H. of B., p. 303.]

Nicholas Spencer Esq^r Secretary &c added to y^e Councell

Ordered the Clerk of y^e Gen^l Assembly Carry y^e foll: Answer

By his Ex^{cy}

Mr Speaker

Yo^r House haveing by their humble Addrefs sett forth that y^e last Assembly prepared Severall Articles of Charge ag^t L^t Coll W^m Fitzhugh, w^{ch} Charge I Ordered Cap^t

George

George Brent Attorney Gen^l for the time being, to profecute at y^e then next Gen^l Court, but noe p^{ro}secution being yet had therein, I shall forthwith Order and Comand *Edmund Jenings* Esq^r his Maj^{ties} Attorney Gen^l, that without further delay, all papers relateing to y^e sd Articles of Charge be taken into his Custody, to y^e Intent the sd Charge ag^t y^e sd L^t Coll W^m *ffitzhugh* be by him effectually profecuted at y^e next Gen^l Court.
 May 3^d 1688 *Effingham*

May 5th 1688

HIS Ex^{cy} having sent to y^e Houfe of Burgefles to Attend him in y^e Councell Chamber, where they being Come he thus Spake to them
M^r Speaker.

I was in Expectation ere this, to have received from you a Bill for y^e prohibition of Bulk Tobacco, it being recommended to you, by his Maj^{ties} p^{ar}ticular Directions, w^{ch} ought to be Reverenced equall with his Maj^{ties} Comands, therefore could not have thought you would have been foe slow in yo^r p^{er}formance of them, Efpecially when it is foe p^{ar}ticularly Intended for yo^r Advantage.

What I shall further Reco^mend to you, is, that you would take under yo^r Considera^on, the Repealing that Law for the prohibition of Planting Tobacco after the laft of *June*, unlefs *Maryland* be under y^e like Reftriction, And it being very unreafonable to Expect my Lord *Baltimore*, upon whose anfwer it at prefent depends, will Consent to his foe Apparent difadvantage, it will be much more prudent to Repeale that Law, unlefs that Govern^{mt} be equally Obliged, then by his Lordfhips refusall to be foe, to have it Repealed.

Further *Gent^l* by this yo^r A^{ct}, the Drought now Impending over us, threatning foe great a Scarcity of tobacco, his Maj^{ty} will fee, you doe what in you lyes, by a timely Consideration, to prevent any Detriment to his Maj^{ties} Customes, w^{ch} together with that Advantage will accrue to you by a further liberty, fhould a Seafon for planting Tobacco not Offer, I hope will be a Motive fufficient to Induce you to it, I shall further acquaint you, yo^r propofalls laft Seffions made to Me for y^e building Townes, was faithfully Reprefented to his Maj^{ty}, w^{ch} is likewise sent to my Lord *Baltimore*, by y^e Lords of y^e Com^{it}tee for Trade for his Concurrence, as you will be Informed by Letters I fhall fend to you, this I thought fitt to Com^unicate to you, that you might fave time, if any fuch Bill fhould be under Considera^on by yo^r Houfe, and foe Difmiff them.

The Clerk of y^e Gen^l Affembly Carryes the Letter Concerning Townes, to y^e houfe of Burgefles.

Some of the Houfe of Burgefles bring the foll: Addrefs.

To his Ex^{cy} Francis Lord Howard Baron of Effingham his Maj^{ties} Leiv^t and Gov^r Gen^l of Virg^a

May it please yo^r Ex^{cy}

Upon the Reading the Journall [See J. of H. of B., pp. 304-5.]

May y^e feventh.]

THE Clerk Carryes y^e foll: Anfwers

M^r Speaker

His Excellency has been pleafed [See J. of H. of B., pp. 308-9.]

By his Excellency

M^r Speaker

The Addrefs Received [See J. of H. of B., pp. 309-10.]

[May

[*May* y^e eighth.]*By his Excellency**M*^R SpeakerTo yo^r Address relateing [See J. of H. of B., p. 312.]And We do hereby give and Grant [See J. of H. of B.,
p. 312.]

Some of the Houfe of Burgeffes bring the foll: Bills.

A Bill Directing how Publique Claimes fhall be Certified for Allowance.

A Bill Declaring how the Charge Arifeing by Criminalls fhall be paid for y^e future.A Bill for Ports for y^e better fecuring of his Maj^{ties} Cuftomes, and Revenues,
Arifing in this his Dominion of *Virginia*

A Bill for an Additionall Law Concerning Negroes, and Other Slaves.

To which the foll Answers were Carryed by y^e Clerk of y^e Gen^l Affembly, And his
Ex^{ty} Comanded the Grievances to be fent unto him.*By his Maj^{ties} Councell**M*^r Speaker

The Bill Entituled [See J. of H. of B., p. 313.]

*By his Maj^{ties} Councell**M*^r Speaker

Upon the Reviewing [See J. of H. of B., p. 313.]

M^r SpeakerAs to yo^r Bill [See J. of H. of B., p. 315.]*M*^r SpeakerThe part of this Bill Reftraining Negroes from Meeting in Confiderable Numbers
and Walking abroad, as alfo from bearing any Armes, Carrying of Clubbs, Staves, or
Other Offensive Weapons, or Inftruments, We are of Opinion is fufficiently provided
for by a former Law, made in *June* 1680, And as to y^e other part of this Bill, We doe
not Concurr in Judgment with you.Signed by order of y^e Councell*W: Edwards* Cl Gen^l Cur. [Aff^{ly}]*May* 9th 1688.*S*OME of the Houfe of Burgeffes bring the foll: Anfwer to his Ex^{cies} Speech on
Saturday y^e 5th of this Moneth
*May it please yo^r Ex^{ty}*This Houfe haveing well Weighed [See J. of H. of B., pp.
311-12.]The Clerk of the Gen^l Affembly Carryes the foll Reply.*May* y^e 9th 1688.*By his Excellency**M*^r Speaker

Though I did not [See J. of H. of B., p. 315.]

Cap^t *W^m Wilfon* and *M^r Richard Whittiker* bring y^e foll Address*By the Houfe of Burgeffes**May it please yo^r Hon^r*

It is not a little [See J. of H. of B., pp. 315-16.]

Cap^t *Hen: Applewhait* &c bring the foll Address*To his Ex^{ty} Francis Lord Howard Baron of Effingham his Maj^{ties} Leiv^t and Gov^r Gen^l
of Virga**The Houfe of Burgeffes now Affembled**Humbly Prefent*

This Houfe haveing Confidered [See J. of H. of B., p. 314.]

*By the Houfe of Burgeffes**May* 8th 1688

In Anfwer to a verball Meffage [See J. of H. of B., pp. 313-14.]

[*May*

[*May* y^e tenth.]

THE Clerk Carryes the foll Replies to y^e Houfe of Burgeffes
M^r Speaker
 If the Addrefs [See J. of H. of B., p. 320.]

By his Excellency

M^r Speaker
 I cannot but fay [See J. of H. of B., pp. 319-20.]

By his Excellency

M^r Speaker
 I expected the Grievances [See J. of H. of B., p. 320.]
 Some of the Houfe of Burgeffes Bring the foll Answers.

By the Houfe of Burgeffes

May it please yo^r Ex^{ty}
 This Houfe have proceeded [See J. of H. of B., p. 320.]

By the Houfe of Burgeffes

May it please yo^r Ex^{ty}
 This Houfe did well hope [See J. of H. of B., pp. 320-21.]
 Some of y^e Houfe of Burgeffes bring the Comittes Report of y^e Claimes.
 The Clerk of y^e Gen^l Affembly Carryes y^e Comittes Report of y^e Claimes, with
 y^e foll Answer to it.
 The Councells Answer to y^e Report of y^e Comittie of Claimes.

Isle of Wight fo: 3

As to y^e Claime of *John Lewis* and *Richard Macome* for being Impreffd to goe in
 y^e Boate to wait on Coll *Lear* by his Ex^{ties} Comand, at a Councell held at Coll *Coles*,
 y^e fame being for y^e Countries service, the Councell therefore are of Opinion, that they
 ought to be paid by y^e Publique, as it allwaies has been, the Councell having noe allowance
 to pay men Impreffd for y^e Publique service.

Nanzemond fo: 6

We are of y^e Opinion, that Cap^t *Jeffies* Claime ab^t y^e *Maherin* Indians, ought to be
 borne by y^e Publique, and the Claime being uncertaine, ought to be referred to y^e next
 Affembly.

fo: 7

As to y^e Claime of M^r *W^m Lee* fherriff of *Northumberland* County Concerning 3247¹¹
 of tobacco, by your Houfe difallowed, it being foe Considerable a Claime and noe Allow-
 ance made, We desire to see the Accounts and papers, that We may Consider what is
 fitt to be done therein.

Westmorl^d fol: 8

As to y^e fherriff of *Westmorland* for his own Coming and goeing, and Attendance
 at *James Citty*, and the Guards upon the prifoner, and Wittneffes being Negroes, being
 not allowed, altho' the Comittie think it juft and Reafonable, the Councell are of
 Opinion, that Notwithstanding the Refolve of y^e Houfe, w^{ch} cannot oblige us to Con-
 fent, nor the Country to Obedience, are of Opinion, what is juft, ought to be allowed.

fo: 8

As to y^e Claime of *Thomas Baker*, We think it juft, that it be Referred to y^e next
 Affembly for proof.

Warwick fo: 10

As to y^e Claime of feverall *Ɔ*ffons for fetching & Carrying Coll *Lear* and Coll *Cole*
 over *James River* ab^t y^e Indian bufinefs, it being by Order of y^e Gov^r and Councell, and
 for the Safety and Security of y^e Country, It is thought fitt that y^e fd Men be paid by
 y^e Country, and not out of y^e Councell^{rs} Ɔtticular purfes, they being allowed noe Allow-
 ance, for any Such Service, and never difputed before.

We

We think fitt that Mr *Edward Sorrell* be allowed his juft Claime, for Carrying y^e prifoner up to *Henrico* County.

fo: 13

The fherriff of *James Citty* ever was allowed for Attending the Gov^r and Councell on Gen^l Courts & otherwife, and it being for the Publique good, and fervice of y^e Country, We Conceive ought to have a reafonable allowance for his fd Attendance.

fo: 13

We Conceive that, the Councell Roome at Mr *Sherwoods* is, and allwaies was intended for the Gov^r & Councell, according to y^e Agreement of y^e Gen^l Affembly, & not a Temporary Agreement, as y^e Comittee would fuppofe, and y^t it cannot be difallowed of, by a part of that Body.

fo: 15

If Coll *Lightfoots* Claime be juft, We Conceive he ought not to be barred thereof, by Order or Refolve of yo^r Houfe.

fo: 17

As to y^e Claime of *Jofeph firth*, and *W^m Mansfield*, and their Horfes being Impreffd by his Ex^{cies} Comand, we Conceive it was for y^e Publique fervice, therefore ought to be allowed.

As to y^e feveral Claimes of Mr *Auditor*, y^e particulars whereof are herewith fent you, w^{ch} by Multiplicity of bufinefs were forgotten (and would have been fent you on y^e leaft Notice) We have perufed, & find y^e fame to be juft, and difburfed for y^e fervice of y^e Country, therefore ought to be allowed, and as to his Ex^{cies} Claime of 16th 16^s for Intereft, for money difburfed for the Country, the fame ought to be allowed, that money being difburfed for the Good and benefit of y^e Country, and We have found the good Effects of it, and y^e fame is approved by his fared Maj^{ty}, and we think his Lordfhip may be as well allowed fix p C^t for being two yeares out of his money, as others twenty. May 10th 1688.

Signed by Order of y^e Councell

W: Edwards Cl Gen^l Aff^{ly}

Cap^t *W^m Wilfon* and Mr *Rich^d Whittiker* bring the foll Meflage to y^e Councell

Whereas this Houfe upon Examination of [See J. of H. of B., pp. 316-318.]

The Clerke of y^e Gen^l Affembly Carryes y^e foll Anfwer to y^e Houfe of Burgefles
M^r Speaker

As to yo^r Request [See J. of H. of B., p. 321.]

[*May the eleventh.*]

SOME of the Houfe of Burgefles bring the foll papers

By the Houfe of Burgefles

A Reply to y^e Hon^{ble} Councells Anfwer to y^e Report of y^e Comittee of Claimes

Isle of Wight

As to y^e Claime of *John Lewis* and *Richard Macome* Impreffd to goe in y^e Boate to waite on Coll *Lear*, This Houfe are of Opinion, y^t that Report of y^e Comittee is well grounded, they Conceiving that y^e Hon^{ble} Councell ought to Satisfye for their own Conveniences as well for Attendance at Councells, as at Gen^l Courts they having Annuall Allowances.

Nanzemond

Cap^t *Jeffys* Claime, the Houfe Consents it may be Referred to y^e next Affembly for better proof.

Northumberland

As to y^e Claime and account of Mr *W^m Lee* fherriff of *Northumberland*, The Houfe are of Opinion, the Report of the Comittee is well grounded, neverthelefs, they haue appointed two of the Members of that Comittee to wait on yo^r Hon^{rs} with that acco^t for yo^r further Satisfaction.

Westmorland

Westmorland

As to y^e Claime of y^e sheriff of *Westmorland*, there is already allowed all y^e Articles of his acco^t according to Law, and for his Expence and los of time in Town, by Especiall Comānd of his Ex^{ty} and returning the prifoner back, This Houfe doe think fitt to allow one Thoufand pounds of tobacco and Cask

As to *Thomas Bakers* Claime, the Houfe Consents y^t it ftands referred to y^e next Affembly for proof.

Warwick

The Claime of five ꝑfons four dayes sent by Exprefs for Coll *Lear* is allowed three hundred pds tobacco & Cask. The other Articles are difallowed, This Houfe Conceiving that y^e Hon^{ble} Councell ought to bear their own Charge in Tranfporting themselves to and from y^e feverall Meetings of Councill.

James City

Edward Sorrells Claime for Conveying *Toby* y^e Negro Criminall to *Henrico* County, being by Especiall Comānd he is allowed by y^e Houfe three hundred pds Tobacco.

As for Allowance to y^e sheriff of *James Citty* County this Houfe doe Conceive he ought not to be allowed any thing dureing the time of y^e Gen^l Court, his fees being a fufficient Recompence But for his Attendance at any Seflions of Affembly when y^e Gen^l Court is not held, This Houfe Consents that he be allowed One hundred and twenty pds of tob: ꝑ day.

As to y^e Agreement with M^r *Sherwood* for his Great Hall &c for y^e ufe and fervice of his Ex^{ty} and Councell, if ye firft Agreem^t be Infpected yo^r Hon^{rs} will find it Temporary, Neverthelefs this Houfe is willing y^e fd Agreement be Continued untill y^e 29th *Septemb^r* 1690.

Gloſt

As to y^e Claime of Coll *Lightfoot*, the Houfe are of Opinion that y^e Report of y^e Comittee is well grounded.

York.

As to y^e Claime of *Joſeph firth* and W^m *Manfield* the Houfe are of Opinion that the Report of y^e Comittee is well grounded, it being for Carrying Letters on Boord his Maj^{ties} Ketch *Quaker*, w^{ch} this Houfe Conceives is noe Country Charge.

As to M^r *Auditors* Acco^t the firft Article of fixteene pound sixteen fhill for Intereft This Houfe cannot Conceive how they ſhould be Oblidged to pay Intereft, when they are not fenſible they are Indebted the Principall.

The ſecond Article of thirty five pd five fhill y^e Miſtake being rectified, it being but thirty two pds fixteene fhill is allowed.

The third Article of 5^{ll} 14^s 6^d for 2295^{ll} tobacco paid Coll *Allerton*, This Houfe Conceive they ought not to allow it, it not being for the Countries ſervice but all Relating to M^r *Mein* and Cap^t *Crafts*, & Tranfporting the Hon^{ble} Coll *Lee* to *Maryland*.

The 4th Article of 11^s being paid in Relation to Cap^t *Crafts*. This Houfe Conceive they ought not to allow it.

As to y^e 5th Article of 16^{ll} 10^s this Houfe haveing great reaſon to believe that the Meſſenger was paid with a farr leſs Sum^m, they are willing to allow what was Really paid to him for his time and Expences and noe more.

The laſt Article of 3^{ll} 10^s paid to *Gowen Dunbarr* being regulated according to Law comes to two pounds ten fhillings, The Houfe are willing to allow.

Signed by Comānd of y^e Houfe

Francis Page Cl of y^e Houfe of Burgeſſes

May 11^o 1688.

May it pleaſe yo^r Ex^{ty}

This Houfe having Conſidered the feverall [See J. of H. of B., pp. 321-2.]

To his Ex^{cy} Francis Lord Howard Baron of Effingham his Maj^{ties} Leiv^t and Gov^r Gen^l
of Virg^a

The House of Burgeffes now Affembled

Humbly present

That upon takeing that part [See J. of H. of B., pp. 322-3.]

May it please yo^r Ex^{cy}

In a Message from yo^r Ex^{cy} [See J. of H. of B., p. 324.]

By the House of Burgeffes

In Reply to yo^r Hon^{rs} Answer [See J. of H. of B., p. 324.]

[*May* y^e twelfth.]

THE Clerk of the Gen^l Affembly Carries the foll Answer

Mr Speaker

You^r Houfe having defired [See J. of H. of B., pp. 325-7.]

Mr Speaker

As the Councill are foe tender [See J. of H. of B., p. 328.]

By his Excellency

Mr Speaker

Yo^r Houfe the laft Night [See J. of H. of B., p. 328.]

The Clerk of the Gen^l Affembly by his Ex^{cies} Comand goes to y^e Houfe of Burgeffes, and Acquaints them, that his Ex^{cy} Ordered the whole Houfe forthwith to Attend him in the Councill Chamber where they being Come, He Expreffed himfelfe as foll:

Mr Speaker

It hath been Mine, and the Councill's great Admiration, I had not fooner an Answer from yo^r Houfe, to what was given you in Charge by Me, by his Majesties particular Directions, relating to Bulk Tobacco, It being foe long Since; And much greater now to receive Such an One from You as *Re Infecta*, had you done as you were firft Directed, and Since reminded by Me, to have taken that Sooner under Consideration, you had Saved yo^r felves much time, and the Country much Charge, but Since you have refused to Enact what you were particularly Sumoned for, I will be foe much the Countries friend, to putt an End to that Expençe by diffolving this Affembly, And in his Majesties name you are Diffolved.

Vera copia Test W. Edwards Cl Gen Aff^{bly}

AT A
GEN^{LL} ASSEMBLY

begun at *James Citty* y^e 17th day of *Aprill Anno Dom 1691*
and in the third year of y^e Reign of our Sovreign Lord and
Lady *William & Mary* King and Queen of *England Scotland*
ffrance and Ireland and Virginia defenders of y^e faith

At a Gen^l Affembly begun at *James Cittie* y^e 17th day of *Aprill*
Anno Dom 1691 and in the third year of y^e Reign of our
Sovreign Lord and Lady *William & Mary* King and Queen of
England Scotland ffraunce and Ireland and Virginia defenders
of y^e faith

[*April* 17th, 1691.]

Present

THE R^t hon^{ble} *ffra. Nicholſon* Eſq^r L^t Gov^r, *W^m Cole* Eſq^r Se^c, *Ra: Wormeley*
Eſq^r, *Jn^o Cuſtis* Eſq^r, *W^m Byrd* Eſq^r, *Jn^o Lear* Eſq^r, *Chr: Wormeley* Eſq^r,
Edw^s Hill Eſq^r, *Hen Whiting* Eſq^r

It is ordered that W^m Edwards Clerk of y^e Gen^l Affembly go to y^e houſe of
Burgeſſes & acquaint them that their Ma^s Comiſſion appointing his Ex^{cy} *ffrancis* Lord
Howard of Effingham their Ma^s L^t and Gov^r Gen^l of *Virginia* was imediately to be
publiſhed in y^e Gen^l Court houſe where they ſhould give their Attendance to hear y^e
ſame, and they accordingly forthwith came into y^e Gen^l Court houſe, and after pub-
liſhing of y^e aforeſd Comiſſion, their moſt Sacred Ma^s Order to y^e Right Hon^{ble} *ffrancis*
Nicholſon Eſq^r their Ma^s Lieu^t Govern^r to execute y^e Severall powers and authorities
contain'd in y^e ſaid Comiſſion and their Ma^s Inſtruc^tions (during his Excellencies abſence)
y^e L^t Gov^r and Councill took y^e oathes by Law preſcribed to be taken inſtead of y^e
oathes of Allegiance and Supremacy and Subſcribed y^e Teſt;

The L^t Gov^r comanded y^e Burgeſſes to return and elect a Speaker, and acquainted
them he had appointed M^r *Peter Beverley* their Clerk, & given him a Comiſſion accordingly.

The Burgeſſes withdraw themſelves and Soon after Cap^t Ball &c wait on y^e L^t
Govern^r and Councill and acquaint them that y^e houſe of Burgeſſes had Elected a
Speaker.

The L^t Govern^r then Comanded that the whole houſe of Burgeſſes ſhould attend
him and y^e Councill in y^e Gen^l Court houſe.

The Burgeſſes wait on his Hon^r y^e L^t Gov^r and Councill in y^e Gen^l Court houſe,
and preſent Coll *Thomas Milner* for their Speaker who begged y^e uſual petitions of that
houſe and was confirmed Speaker After which y^e L^t Gov^r made y^e following Speech.

M^r Speaker and You Gent of ye houſe of Burgeſſes

God Almighty having hitherto [See J. of H. of B., 1659/60-1693, p. 336.]

Coll *Arthur Smith* &c wait on y^e L^t Gov^r and Councill and acquaint them that y^e
houſe of Burgeſſes had elected M^r *Peter Beverley* their Clerk and deſired that he might
be ordered to give his Attendance to which y^e L^t Gov^r anſwer'd that he had before
acquainted their houſe he had appointed y^e ſaid *Beverley* their Clerk, and given him a
Comiſſion for y^e ſaid place, and ordered him to give his Attendance.

M^r *Henry Hartwell* &c wait on y^e L^t Gov^r & Councill, and deſire that their houſe
may have y^e ſuſal of y^e Law requiring y^e taking y^e Oathes preſcribed by Act of Parlia-
ment inſtead of y^e oathes of Allegiance and Supremacy which was accordingly deliver'd
them.

Saturday Apr^l 18—1691

MAJR *Charles Scarbrough* &c Wait on y^e R^t hon^{ble} y^e L^t Gov^r, and pray him to
Comiſſionate Some of y^e hon^{ble} Councill to adminiſter to y^e members of their
houſe y^e oathes enjoyn'd by Act of Parliament.

And *William Byrd* and *John Lear* Eſq^r were accordingly Comiconated.

Cap^t *John Smith* &c wait on y^e R^t Hon^{ble} y^e L^t Govern^r, and requeſt him to favor
their houſe with a copy of his Speech.

Ordered

Ordered that *William Edwards* Clerk of y^e Gen^l Affembly carry a copy of y^e L^t Gov^r's Speech to y^e houle of Burgeffes.

M^r *Henry Hartwell* &c request that Councill may be assigned to Swear y^e Clerk of y^e houle of Burgeffes and present y^e following Addrefs

To y^e R^t Hon^{ble} *ffrancis Nicholson Esq^r their Ma^s L^t Gov^r of Virginia*

The houle of Burgeffes now Affembled

Humbly present

That takeing into Confideration [See J. of H. of B., p. 336.]

Christop^r Wormeley Esq^r and Henry Whiting Esq^r were Comiconated to adminifter y^e oathes by Law appointed to M^r *Peter Beverley* Clerk of y^e houle of Burgeffes.

Monday Aprill 20th 1691.

M^r *Henry Hartwell* &c waites on y^e R^t hon^{ble} y^e L^t Govern^r and acquaints him y^e houle of Burgeffes request that he would be pleased to iffue a new writt for election of a Burgefs in *Surry County* in y^e room of Maj^r *Arthur Allen* who hath disabled himself to Serve in this Affembly by his refusal, through Scruple of Conscience to take y^e Oathes enjoyned by Act of Parliament instead of y^e oathes of Allegiance and Supremacy. And accordingly a new writt iffued.

Some of y^e houle of Burgeffes bring y^e following Addrefs.

Aprill 20th 1691:

To y^e R^t Hon^{ble} *ffrancis Nicholson Esq^r their Ma^s L^t Govern^r of Virga*

The houle of Burgeffes having [See J. of H. of B., p. 339.]

Ordered that *William Edwards* Clerk of y^e Gen^l Affembly carry y^e following meffage to y^e houle of Burgeffes.

M^r Speaker

The Addrefs of the houle of Burgeffes [See J. of H. of B., p. 338.]

Thuesday Aprill 21: 1691

ORDERED that y^e following proclamaçon do forthwith iffue
Virga St:

By y^e R^t Hon^{ble} y^e L^t Govern^r

A Proclamaçon

Appointing a day of humiliation and fasting.

It having pleased Almighty God of his infinite Goodnefs and mercy to keep this their M^a Dominion in peace, when all y^e Neighbing Colonies have been in great disturbance and Dangers: And y^e Gen^l Affembly for this Country being now assembled to confider y^e beft meanes to Secure y^e peace thereof I *ffrancis Nicholson Esq^r their Ma^s L^t Govern^r* of this their Ma^s Dominion by y^e advice and Consent of y^e Councill of State and defire of y^e Gent of y^e houle of Burgeffes do hereby appoint that *Saturday* y^e 25th of this Instant be Set apart as a day of humiliation and fasting for y^e Gen^l Affembly and Inhabit^s of *James Citty* humbly to implore y^e divine affiftance in directing this Gen^l Affembly to make Such good and wholefome Laws, as fhall be for y^e Glory of God, the Honor of their Ma^s and Security peace and Safety of this their Ma^s Dominion and y^e Inhabitants thereof: and on *fryday* y^e 8th day of *May* y^e fame to be performed throughout y^e whole Colony. And y^e minifters in y^e refpective Churches are not to fail to perform y^e duties of y^e day by reading y^e Service of y^e Church and preaching and all persons are to abstain from Servile work and labour that day. Given under my hand and y^e Seal of y^e Colony y^e 21st day of *Aprill* An^o Domⁱ 1691.

ffr Nicholson

To y^e fher of
..... County
or his Deputy

Coll *John Stone* &c waite upon y^e R^t Hon^{ble} y^e L^t Gov^r and prayed his Hon^r y^t Coll *Nath Bacon* late Aud^r and Coll *W^m Byrd* p^rsent Audit^r might be ordered to deliver to y^e houle of Burgeffes an Account of y^e 3^d ~~th~~ gall upon Liquors according to y^e A^ct of Affem-
bly in that cafe provided

Which his Hon^r anfwer'd fhould be done.

ffryday Aprill 24th 1691

ORDERED that *William Edwards* Clerk of y^e Gen^l Affembly carry y^e following
meffage to y^e houle of Burgeffes.

James Citty—Aprill 24th—1691:

M^r Speaker

My Self and y^e Councill [See J. of H. of B., p. 342.]

Monday Apr^l 27th 1691

SOME of y^e houle of Burgeffes wait upon his hon^r y^e L^t Govern^r and pray that
Councill may be affign'd to Swear M^r *Benj^a Harrifon* who was return'd Burgefs
for *Surry County* in y^e Room of Maj^r *Arthur Allen*, and *Ralph Wormeley* Ef^q and
William Byrd Ef^q were accordingly Comiconated.

Wednesday Apr^l 29th 1691

MR *Benj^a Harrifon* &c wait upon y^e R^t Hon^{ble} y^e L^t Govern^r and prayed that
fome of y^e Councill might be appointed to hold a Conference with fome of
y^e members of their houle about confidering y^e beft method for Securing y^e
Country, & y^e moft expedient way for erecting of a Colledge.

Ordered that *William Edwards* Clerk of y^e Gen^l Affembly go to y^e houle of Burgeffes
and acquaint them that *W^m Cole* Ef^q Sec^r *Ralph Wormeley* Ef^q *W^m Byrd* Ef^q, *Chr:
Wormeley* Ef^q *Edwar Hill* Ef^q and *Henry Whiting* Ef^q are appointed to hold a Con-
ference with fuch members as Should be appointed by their houle tomorrow after morn-
ing prayers, in y^e Councill Chamber to confider y^e Security of this Country and y^e moft
expedient method of Erecting a Colledge.

M^r *Harrifon* &c bring ye ffollowing Bills.

A Bill to prevent y^e Cafting of Ballaft into Rivers and Creeks.

A Bill directing how publick Claimes fhall be certified for allowance.

A Bill giving reward for killing of wolves.

A Bill prohibiting ordinary keepers to give credit to Seamen and others.

A Bill declaring how y^e Charge arifing by Criminals fhall be paid for y^e future.

A Bill directing how fher and Collecters fhall accout for publique dues.

Thursday Aprill 30th 1691.

WM *COLE* Ef^q reports from y^e Conference held with Some of y^e houle of
Burgeffes y^e Several methods propofed for y^e Security of y^e Country erecting
a Colledge and y^e fame are approved of.

Ordered that y^e Clerk of y^e Gen^l Affembly enter y^e following Anfvers
in y^e Margine of y^e bills Yefterday brought from y^e houle of Burgeffes & then return
them to y^e faid Houfe, *viz*:

In y^e bill to prevent y^e cafting of Ballaft into Rivers and Creeks, this bill agreed
to with this addition, that where it fhall appear to y^e Court of y^e County ag^t which any
fhip or fhips fhall ride that ballaft will doe y^e road good, they be there ~~th~~mitted to throw
it over board in y^e Road, ~~th~~ particularly we are informed It will do good in y^e Road in *Coroto-
mon* in *Rapp^a* River which is a muddy Road.

A Bill directing how publick Claimes shall be certified for Allowance. this bill is agreed to.

A Bill giving reward for killing of wolves. this bill is agreed to.

A Bill prohibiting Ordinary keepers to give credit to Seamen and others, this bill is agreed to.

A Bill declaring how y^e Charge arising by criminals shall be paid for y^e future. The fines have been so inconsiderable, either by y^e remifness of Grand juries or otherwise, they will in no wafe [wife] bear y^e Charge as is proposed. And provided an Officer be appointed to look after ye fines & forfeitures upon y^e penal Laws, we shall agree they may as farr as they will extend be put to that use, but what they fall short must be borne by y^e publick, unless Some better way be found to do y^e Same.

A Bill directing how sher and Collectors shall account for publick dues.

We propose that an additionall Clause be enter'd excepting their Ma^s Quitrents & dues which y^e sheriffs must pay in y^e first and best tobacco, also a clause that y^e Sherives be injoyn'd to make y^e tobacco good if it shall appear not to be So, within ten dayes after it shall be allotted y^e Cred^{ts} by y^e County Court; in which time y^e Cred^{ts} are to receive y^e Same, otherwise that it ly on their Account. And y^e 20th of *febr*^y being very late will be to y^e great hind'rance of y^e Severall p^{er}sons concerned, we therefore propose y^e 20th of *Jan*^y to be y^e time.

By order of y^e hon^{ble} Council

W. Edwards Cl Gen^l Assemb^l

Mr *Christopher Robinson* &c wait on y^e R^t hon^{ble} y^e L^t Gov^r and pray that Some of y^e Council may be Assign'd to Joyn wth Some members of their house in drawing an humble addrefs to their Ma^s for a Colledge, and accordingly Council were Assign'd to meet in y^e Council Chamber immediately after prayers tomorrow morning.

May y^e 1st 1691.

MR Sec^y *Cole* reports y^e Severall parts of y^e Addrefs agreed to, to be presented to their Ma^s for a Colledge and y^e Same are approved of.

Wednesday May 6, 1691

MR *Chr^r Robinson* &c wait on y^e Council in y^e Council Chamber and present a bill about Ports and desire their Concurrence thereto.

Some of y^e house of Burgeffes wait on y^e Council and present

A Bill to prevent y^e Casting of Ballast into Rivers and Creeks,

A Bill directing how sheriffs and Collect^{rs} shall account for publick dues adhered to by their house with y^e amendments proposed, they are therefore agreed to.

Thursday May 7th 1691

ORDERED that y^e Clerk of y^e Generall Assembly carry y^e following message

By their Ma^s Council

Mr Speaker

Having rec^d A Bill from you Appointing twenty Ports in y^e Several Counties in this Colony to which you desire our Concurrence, On considera^{on} thereof & y^e places therein named we cannot agree that any place ought to be appointed a Port, but Such as ships and goods may probably be Secured at by fortifications, which Severall of y^e places proposed by you will not admitt of. But that It may be easy to y^e Inhabitants in procuring y^e Severall things they shall want from merc^{ts} Stores, We propose that y^e Severall places appointed in y^e Said Bill for Ports, be Towns and have prive-
ledges

ledges to buy and Sell in them, unless Such places as are hereafter nominated in their Stead in *York* and *Glocr* Counties, which we Judge more proper places and that those onely hereafter named be Ports, *viz*^t

In *James River*

The place appointed
in *Charles City* County
in *James City* County
in *Namfamond* County
in *Lower Norfolk* County

In *York River*

The Ports to be at
Tindals Point &
over against it on y^e Land of M^r *Read* one port which may be defended by
Platformes on each side *York River*.

And at y^e place appointed in *New Kent* County.

In *Rapp^a River*

The place appointed
in *Lancaster* County
in *Rapp^a* County

In *Patowmeck River*

The place appointed
in *Northumberland* County
in *Stafford* County

The Eastern Shore

The places appointed
in *Accomack*
& *Northampton* Counties

But when y^e Country Grows more populous and trade increaseth, more Ports may be made if it be found convenient And

Where its provided, that from and after the first day of *October* 1692 no tobacco &c Shall be taken on board any Ship &c in order to be exported in y^e Said Ship &c but whatt shall come directly from Some one or other of y^e Ports wharves Keys or places mencōned in this Act nor unless y^e same Tobacco, and other goods So taken on Board from Such place or places allowed off by this Act be first entered with y^e Collector or officer duely appointed to Collect receive and Secure y^e Customes, and a Cocquet or certificate thereof produced from him of Such entry made &c under y^e pain & penalty of forfeiting all Such Tobaccos &c We propose that a Proviso be entered that all tob^o Skins &c that shall be found on board any Ship Sloop Boat or other Veffell that hath paft by any Port after y^e takeing in of y^e said Tobacco Skins &c & hath not a P mitt for y^e Same, and to what Port or place they are to be carried, the Said tob^o Skins &c, shall be forfeited, otherwise we conceive any P son may carry away goods especially ffurs and Skins to *Maryland* to ship of, and if he be Surprised he may pretend he is to go with y^e said Tobacco Skins &c to *Patowmeck* or any other place in *Virginia*, and so y^e greateft part of y^e Law be found ineffectual.

We conceive y^e rates proposed for deer Skins & furs are Somewhat too high and if they be Set at a more moderate rate it will better answer y^e Ends of y^e Act to raise a Revenue, otherwise it may incourage y^e Carrying that Trade to our Neighb^{ing} plantations of *North* and *South Carolina*, & *Maryland*. and therefore we propose a buckskin eight pound and nine pence for every pound & quarter of Beaver, Otter Six pence, wild cat three pence, Minx two pence ffox three pence Raccoon a penny, Muskrats six pence P doz: and that Elk Skins be added at twelve pence each.

In y^e fourteenth & 15th lines where it is Said, *shall from and after y^e first day of June be transported or conveyed out of this their Ma^s Dominion* &c we proposed that instead of y^e words *transported or Conveyed*, Ship'd be inferted.

Immediately

Immediately after words *answer'd and paid to* in y^e 18th line we propose that this Clause be entered. Our Sovereign Lord and Lady y^e King and Queen their heirs and Successors to and for y^e uses intents and purposes hereafter mençoed, and no other whatsoever.

We propose that immediately after y^e words (house in y^e day time) in y^e 13th line be added a Clause empowering y^e Collector, or Collectors to break open y^e Door or doors of any Suspected house, and that all Persons be required to aid and Assist y^e Collector or Collectors therein.

And for encouragem^t of y^e Officers that shall be appointed by y^e Collectors to be careful, and diligent in y^e Performance of their duties, we propose that Some Small Allowance be made them to be paid by y^e exporters and importers of goods out of & into this Colony.

We propose that a Clause be enter'd requiring y^e treasurer or Treasurers, or Such other Person or Persons as shall be appointed to receive from y^e Severall Collectors, y^e money accruing due by this Act, to pay that part thereof which is to be to our Sovereign Lord and Lady y^e King & Queens Ma^s their heirs and Successors to and for y^e better Support of the Governm^t, in providing armes and amuniçon for y^e Better defence thereof and building and maintaining convenient fortifications for y^e defence of y^e Ships Arriving in y^e said Ports to Such Persons, as shall be empower'd by Warrant from y^e R^t Hon^{ble} y^e Lieu^t Govern^r or Comander in Cheif to receive y^e same Yearly for y^e uses aforestd.

We propose that a Clause be entered that y^e Lands within y^e bounds Set for y^e Port in *James City* County be paid for by y^e County to y^e Severall Proprietors and Owners thereof in y^e Same manner as ye Lands in y^e other Counties appointed for Ports are.

These Alteracons amendments and additions being made we shall willingly give our concurrence to y^e said Bill conceiving that Ports, but not too many of them will tend greatly to their Ma^s Interest, and good of this Country

May 7th 1691:

By order of y^e Councill

W Edwards Cl Gen^l Affembl

ffryday May 8th 1691:

ORDERED that y^e Clerk of y^e Gen^l Affembly carry to y^e house of Burgeffes y^e following Message

By y^e Hon^{ble} Councill

Mr Speaker

Yesterday was omitted returning to you a Provifo to be enter'd in y^e Bill for Ports, which we Judge will be of great use in Securing y^e Revenue intended to be raised on Skins and furs which is that a Clause be enter'd in y^e said Bill, that no goods or Commodities whatsoever for y^e Indian Trade shall be carried from this Governm^t to any other, but Such as shall be Permitted by y^e Collectors, which Permitt y^e Collectors are not to grant untill good Security be given, that y^e produce of those goods shall be brought into this Colony and enter'd with y^e Same Collector who gave y^e Permitt to prevent fraud therein.

We also acquaint you that wee hear they have made a very Striçt Law in *North Carolina* to prevent any Persons tradeing with y^e Indians but their Inhabitants, this Provifoe tending so greatly to y^e Securing y^e designed revenue for y^e good of y^e Country we doubt not your takeing y^e same into Consideraçon

May 8th 1691.

By order of Councill

W. Edwards Cl Gen^l Affembl

Coll *Lawrence Smith* &c waited on y^e Councill in y^e Councill Chamber and presented y^e Six ffollowing bills to which they desired y^e Councils Concurrence, viz^t

A Bill reviving y^e *Act for advancement of Manufactures of ye growth of this Country* &c
 A Bill reviving y^e Sixth Act of Affembly made at *James Citty* y^e 20th of 8^{br} 1686
 regulateing y^e tare of Tobacco hhd's.

A Bill for dividing *New Kent* County

A Bill for a free trade with Indians

A Bill to prevent Horfes ruſing at Large and barking ffruit trees.

A Bill for y^e more effectual Suppreſſing y^e Several Sins and offences of Swearing &c

Saturday May 9th 1691:

ORDERED that y^e Clerk of y^e Gen^l Affembly carry y^e following Meſſage to y^e
 houſe of Burgeſſes

By their Ma^s Council

Mr Speaker

having late in y^e afternoon of y^e day paſt receid Six bills from you to which You
 deſired our Concurrence, Do herwith return them with y^e following Anfwer *Viz*

A Bill reviving y^e *Act ffor advancem^t of manufacturs of y^e growth of this Country* is
 agreed to.

A Bill reviving y^e Sixth Act of Affembly made at *James Citty* y^e 20th of *October*
 1686. regulateing y^e tare of tobacco hogheads is agreed to.

A Bill for dividing *New Kent* County is agreed to, dayes for y^e Court of *King &*
Queens County to be held on being appointed by you.

A Bill for a free trade with Indians

We propoſe that a Claufe be added to this bill reſtraining y^e Inhabitants of this
 Dominion from going a hunting remote ffrom y^e *English* Plantacons, but by ꝑmiſſion
 of y^e R^t hon^{ble} y^e L^t Gov^r and Council, & under Such Condicons, and reſtrictions as
 they ſhall appoint, that thereby y^e miſcheifs which have frequently happen'd at huntings
 may be prevented for y^e future.

A Bill to prevent horſes ruſing at Large and barking ffruit trees.

Wee conceive the firſt part of this Bill which provides that all horſes &c ſhall be
 kept within fenced grounds will ſo leſſen y^e quantity of horſes that in a ſhort time,
 horſes will be wanting for their Ma^s Service, in y^e Security of y^e Country, & that being
 omitt'd we agree to y^e other part of y^e bill.

A Bill for y^e more effectual Suppreſſing y^e Severall Sins and offences of Swearing &c

Wee propoſe that y^e two laſt proviſoes in this Bill be left out, y^e laſt of them being
 directly contrary to their Ma^s Inſtructions

Alſo we propoſe that a Claufe be added that Blaſphemy be puniſhed, according to
 y^e Law of *England* in that caſe made and provided.

Theſe alteracons amendments and additions being made we ſhall readily give our
 Concurrence to y^e aforeſd Bills

May 9th 1691.

By order of y^e Council

W. Edwards Cl Gen^l Affemb

A letter ffrom their Ma^s Juſtices of y^e Peace of *Lower Norfolk* County directed to
 y^e R^t Hon^{ble} y^e L^t Govern^r and Council and Burgeſſes of this Gen^l Affembly complain-
 ing ag^t Cap^t *John Jenings* Comander of their Ma^s Ship *Experiment* is referred to y^e
 Conſideracon of y^e houſe of Burgeſſes.

Coll *Anthony Lawſon* &c wait upon y^e R^t Hon^{ble} y^e L^t Govern^r and Council in y^e
 Councell Chamber and preſent them with the following Addreſs

May y^e 9th 1691:

By y^e houſe of Burgeſſes

Upon reading a Letter Subſcribed [See J. of H. of B., pp. 355-6.]

Cap^t

Cap^t *William Randolph* &c wait upon y^e Councill in y^e Councill Chamber and present y^e Claimes made this Affembly for their concurrence. And also presented y^e following refolve of their houle, and desired y^e Councills concurrence.

Thursday May y^e 7th 1691:

By y^e house of Burgeffes.

Upon reading y^e report [See J. of H. of B., p. 351.]

Monday May 11th 1691:

MR *Christopher Robinson* &c wait on y^e Councill in y^e Councill Chamber, and desire that some of y^e hon^{ble} Councill may be appointed to hold a Conference with some of y^e members of their houle, about y^e amendments and altera^{co}ns made in y^e bill for Ports.

Ordered that y^e Clerk of y^e Gen^l Affembly go tomorrow morning to y^e houle of Burgeffes, & acquaint them, that y^e R^t Hon^{ble} y^e L^t Gov^r & Councill have issued a warrant requiring Cap^t *John Jennings* Comander of their Ma^s Ship *Experiment* to make his appearance at *James Citty* on *thursday* next to answer y^e things complained of ag^t him by their Ma^s Justices of y^e peace of *Lower Norfolk County*.

Also that he acquaint them y^e Councill hath appointed *William Cole* Esq^r Sec^y—*Ralph Wormeley* Esq^r, *John Lear* Esq^r & *Edward Hill* Esq^r to hold a Conference about y^e amendments and altera^{co}ns made in y^e bill for Ports in y^e Councill Chamber with Such members as they should appoint, tomorrow immediately after morning Service, And that he deliver them y^e opinion of y^e Councill about a fitt place for a Colledge by Gods P^romission design'd to be erected in this Country and of fitt P^rosons to be presented to their Ma^s to take their Royal grant for erecting thereof

Tuesday May 12th 1691:

ORDERED that y^e Clerk of y^e Gen^l Affembly carry y^e following Message to y^e houle of Burgeffes.

By y^e Hon^{ble} Council

Claimes in Aⁿo 1688.

New Kent County

Wee Conceive that no allowance for y^e future ought to be made to *Jn^o Kimbrough* he being very well able to maintain himself, unless by order of y^e Gen^l Affembly it was Setled for his life.

Warwick County

Wee conceive y^e men carrying Coll *Cole* to *Nansamond* and y^e rest of y^e Article ought to be allowed, it being for y^e Countreyes Service about y^e Indians for which no allowance is made to Coll *Cole* as a Councello^r and therefore ought to be paid by y^e Country.

James Citty County

We conceive there is as much Law and reason to allow y^e fher of *James Citty* Couⁿ for his own and his Officers attendance on y^e Govern^r and Councill in Affembly time as for Allowing to y^e Messengers and Door keepers of Your houle therefore propose that Maj^r *Sam^l Weldon* late fher of this County be allowed five thousand pds of tob^o and Cask.

York County

As to y^e Claimes of *Nath Bacon* Esq^r late Audit^r he hath produced his account and Wee having examin'd it find Justly due to him Sixty one pds ten shill and Six pence which he ought to be allowed, and herewith Send his acco^t

Surry County

The Severall interpreters Claimes we conceive ought to be allowed, and they paid each 4000^{lb} tob^o and Cask P^r Annum, they having P^rformed many Services been at
great

great trouble and Charge in Attendance at *James Citty* and were never allowed Lefs and It being of Abfolute neceffity there fhould be interpreters it is propofed if You can find Φ sons as fitt as thofe already appointed, that will Serve for lefs on prefentaçon of them to y^e R^t Hon^{ble} y^e Lieu^t Govern^r they may be appointed.

James Citty County

Wee Conceive that *W. Edwards* Clerk of y^e Gen^l Court, who to our knowledge hath performed many more Services the two years laft paft, then was or Could be expected when y^e rule was made of 5000^{lb} of tob^o & Cask. Wee therefore propofe that he be allowed Six thoufand pds of tob^o and Cask.

Mr *Henry Gauler* fheriff of this County for his & his officers attendance, wee Conceive he ought to be allowed for y^e Reafons given before in Maj^r *Weldons* claimes five thoufand pds of tob^o, and Cask, and as to his Charge about Mr *Woodcock* there was an abfolute neceffity for y^e Charge, his Ma^e having comanded y^e Sending them to *Maryland* And they not having any eftates in this Colony to Satisfie y^e Same we are of Opinion what is Juft ought to be allowed.

We conceive Mr *Robert Holderby* Clerk of *James Citty* parifh ought to be allowed for Attendance at prayers fifteen hundred pds of tob^o and Cask, as well as *John White* for Ringing y^e Bell 800 pds of tob^o & Ca: which we Judge he hath well deferved.

York County

We conceive Mr *Robert Read* fher of this County ought to be allowed what is Juft of his account about *Mafon* and *Reevelly* for y^e Reafons given in Mr *Gaulers* account.

We conceive *W^m Chapman* ought to have no allowance for y^e future for y^e reafons given before for *John Kimbroughs* not being allowed.

To Meffengers paid by m ^r Audit ^r <i>Byrd</i> for y ^e Countries Service.....	12: 12: 00
to paid <i>Alexander Boniman</i> for tranfcribing y ^e revifed Laws.....	04: —: —
To <i>W Edwards</i> for his affiftance in y ^e Same.....	01: —: —
To Coll <i>John Page</i> for a printed book of Acts and y ^e written Laws Since y ^e printed Sent for <i>England</i>	00: 15: 00
To <i>Edward Rofs</i> for beating y ^e drum 3 yrs.....	22: 10: 00
To Severall meffengers for y ^e Countries Service.....	18: 00: 00
To Coll <i>Cuthbert Potter</i> for going to <i>New York, Penfylvania</i> and <i>New England</i> to know y ^e ftate of thofe Governm ^{ts} and inquire into y ^e <i>Canada</i> affair that this Governm ^t might know how to act for y ^e Security of y ^e Country.....	60: 00: 00
To <i>W^m Cole</i> Efqr paid to Meffeng ^{rs} for y ^e Countreys Service.....	01: 04: 00
To <i>Richard Lee</i> Efqr pd to divers Meffeng ^{rs} to <i>Maryland Patowmeck</i> and <i>James Citty</i> about y ^e Indian bufinefs.....	11: 05: 00
To Mr <i>Robert Read</i> paid to Meffeng ^{rs} for y ^e Countries Service.....	05: 00: 00
To a Meffenger now fent to <i>New York Penfylvania</i> and <i>New England</i> for y ^e Countries Service.....	40: 00: 00
To paid <i>George Lindfey</i> a Soldier who came from <i>Albany</i> , and was Sent for <i>England</i> to give an acco ^t of that Governm ^t , in order that care might be taken for y ^e Security thereof, and this Country thereby Secured..	02: 10: 00
To <i>Gilbert Moor</i> for looking out on y ^e Seaboard fide of y ^e Eaftern fhore by order of Councill 3 moneths.....	04: 10: 00
To m ^r <i>W^m Sherwood</i> for y ^e Councill Chamber by agreement.....	25: 00: 00
To <i>Edward Rofs</i> for Severall meffages for y ^e Countrys Service.....	03: 00: 00
To <i>Edward Chalice</i> A Meffage for y ^e Countreys Service.....	01: 10: 00
To m ^r <i>Edward Sorrell</i> for Meffages for y ^e Countreys Service.....	01: 00: 00
To <i>Jfrancis Bullivant</i> a meffage for y ^e Countreys Service.....	00: 06: 00

The duty of Three pence Φ gall on Liquors was raifed to eafe y^e heavy Φ poll, and bear y^e Contingent charges of y^e Governm^t, And Several Sum^s of money having been *bonâ fide* paid for y^e Contingent charges of y^e Governm^t y^e Acco^t whereof We have carefully examined and have found them juft: have Sent you an account of y^e Severall Sum^s as above, and doubt not your allowance of them.

And

And we propose that you take care to raise Allowances for y^e Lieu^{ts} and Soldiers appointed to Range, for y^e Security of y^e Countrey by Order of y^e R^t Hon^{ble} y^e Lieu^t Gov^r and Councill.

May 12th 1691:

By order of y^e Council

W Edwards Cl Gen^l Assembl

W^m Cole Esq^r reports from y^e Conference held with some of y^e house of Burgeses about y^e alterations and amendments in y^e bill for Ports, y^e Severall parts of their Conference & amendm^{ts} agreed to, and y^e same are approved of.

Thursday May 14th 1691

MAJR Scarbrough &c wait upon y^e Councill in y^e Councill Chamber and present y^e bill for Ports, with their agreem^t to y^e additions alterations and amendments sent to them except one Clause now adhered to by y^e Councill, *It is therefore ordered* that y^e Clerk enter y^e Assent of y^e Councill to y^e Said Bill, which was accordingly done. And also presented

A Bill for dividing *New Kent* County; wherein they had agreed to y^e addition proposed thereto, and

A Bill for a free trade with y^e Indians, to which they adhered with y^e Severall additions, as also that they had agreed to y^e amendments in

the Bill to prevent horses running at large and barking fruit trees

Also proposed that a Conference might be held about y^e amendments made in y^e bill for y^e more Effectual preventing y^e Severall Sinns and offences of Swearing &c and accordingly a conference was appointed, & Councillors nominated for y^e Same to be held in y^e Councill Chamber immediately after Sunfett this day.

M^r *Christopher Robinson* &c wait upon y^e Councill in y^e Councill Chamber and present y^e foll Bills and desire their Concurrence thereto, *viz*

A Bill declaring y^e duty of Farmers Curriers and Shoemakers.

A Bill for dividing *Lower Norfolk* County.

A Bill enjoying y^e planting and dressing of flax and hemp.

A Bill providing for y^e better defence of y^e Country.

M^r *Robert Bolling* &c Wait upon y^e L^t Gov^r and Councill in y^e Councill Chamber and desire y^e depositions of m^r *Thomas Hodges* m^r *George Newton* Cap^t *William Craford* and m^r *Thomas But* concerning y^e complaint made against Cap^t *John Jennings* might be taken

Friday May 15th 1691

MR Sec^y *Cole* reports what past in y^e Conference about y^e amendments in y^e bill for y^e more effectual preventing y^e Severall Sins and offences of Swearing &c.

M^r *Christopher Robinson* &c wait upon y^e Councill in y^e Councill Chamber and present a bill for y^e alteration of y^e time of processioning Lands, and desire their concurrence thereto.

And acquaint them that y^e house of Burgeses had agreed that y^e Land of m^r *W^m Buckner* on y^e South side *York* River was a fitt place for y^e Erecting of a Colledge, and proposed that y^e R^t Hon^{ble} y^e L^t Gov^r and four of y^e Councill and four of y^e Clergy to be nominated by y^e Councill, and ten more to be nominated by them were a fitt number of p^{rs}ons to be presented to their Ma^s to take their Royal grant for y^e Erecting thereof.

Ordered that y^e Clerk of y^e Gen^l Assembly carry y^e following message to y^e house of Burgeses and acquaint them that they approved of y^e place for y^e Colledge to Stand on and had nominated W^m *Cole* Esq^r Sec^y *Ralph Wormley* Esq^r *William Byrd* Esq^r and *John*

Lear

Lear Esq^r of y^e Councill y^e Reverend *James Blair* Cōmiffary to y^e Bifhop of *London* and y^e Reverend *John Banifter* two of y^e Clergy and defired them to nominate y^e other two, of y^e Clergy to be prefented with thofe that fhould be nominated by them to take their Ma^s Royal grant for y^e Erecting of a Colledge in this Country.

Alfo that y^e depofitions of y^e P^{er}ifons by them defired to be taken were taken and a Conference with fome of their houfe defired in y^e Councill Chamber immediately after prayers tomorrow morning.

Ordered that y^e Clerk of y^e Gen^l Affembly carry y^e following Bills with y^e feveral answers thereto, to y^e houfe of Burgefles

By y^e hon^{ble} their Ma^s Councill

M^r Speaker

Having received from you five Bills to which you defired our Concurrence, do herewith return them, with y^e following answers, *viz^t*

A Bill declaring y^e duty of Farmers Curriers and Shoemakers is agreed to.

A Bill for dividing *Lower Norfolk* County is agreed to.

A Bill enjoyning y^e planting and dreffing of flax and hemp.

We propofe that inftead of y^e preamble thereof, this following be inferted *Viz^t* forasmuch as for fome time pafft y^e Inhabitants of this Country have Suffered great want of Linnen by reafon of y^e Warrs And to y^e End y^e fame may be endeavred to be prevented, Bee it enacted &c as in y^e 5th Line.

Alfo we propofe that y^e words in y^e laft line *viz^t, and from thence to y^e End of y^e next Seflion of Affembly* be left out thefe being done, y^e reft of y^e bill is agreed to.

A Bill providing for y^e better defence of the Country.

Wee propofe that an Additionall claufe be made to this bill impowering y^e R^t Hon^{ble} y^e L^t Gov^r and Councill to appoint Some Surveyors to mark out a Road from above y^e Inhabit^s of *James* River to Some place above y^e Inhabitants of *Rapp^s* River, and to order men to clear y^e fame at leaft twenty five foot wide, or that you now take care to order y^e doing thereof, and that y^e Charge be paid by y^e Country in y^e next Leavy, Alfo that no Surveyor prefume to furvey any Land above y^e laid Road; for three years next to come, nor any P^{er}fon Seat on any Land already furveyed within that time And we propofe that y^e bounds between y^e *English* and Indians on y^e South fide of *James* River be explain'd and afcertain'd, and that fome meafures be taken to know who ought to continue in *Pamunky* neck and who to be removed, thefe being done y^e bill is agreed to.

A Bill for y^e alteraçon of y^e time of proceffioning Lands.

We propofe that a Claufe be added to this bill enjoyning y^e P^{er}ifhons of every P^{er}ifh in this Colony to return an account of their proceedings in the proceffioning Lands in their precincts to y^e Severall veftries in their Counties, and that y^e veftries return an account thereof to y^e County Courts, and y^e County Courts to y^e Succeeding *Aprill* Gen^l Court, under certain penalties to be impofed on y^e delinquents: This wee conceive will be a great means to caufe y^e A^{ct} for proceffioning to be put in effectual execution, Settle y^e bounds of Lands and prevent Law Suites.

By order of Councill

May 15th 1691

W. Edwards Cl Gen^l Affembl

Saturday May 16th 1691:

M^R *Christop^r Robinson* &c wait on y^e Councill in y^e Councill Chamber and prefent y^e bill enjoyning y^e planting and dreffing of flax & Hemp, with y^e amendm^{ts} propofed agreed to by their houfe, alfo acquainted y^e Councill their houfe defired an answer to y^e propofal about allowance to Coll *Ludwell*.

Ordered that y^e Clerk of y^e Gen^l Affembly carry y^e following Answer to y^e propofal about allowance to Coll *Ludwell* to y^e houfe of Burgefles,

M^r Speaker

Having reced a verball meffage [See J. of H. of B., p. 362.]

M^r Sec^{ry} Cole reports what pafft in y^e conference about y^e Complaint made againft Cap^t *John Jennings*

Monday

Monday May 18th 1691:

CAPT *Jn^e Smith* &c wait upon y^e Councill in y^e Councill Chamber and present an anfw^r to y^e Claimes Sent to y^e house of Burgeffes Also a reply to y^e answer Sent by them to y^e propofall about allowance to Coll *Phill Ludwell*, And desired that y^e Lieu^t Gov^r and Councill would Joyn with them in drawing up an addrefs to their Ma^s Setting fforth y^e accoⁿ of Cap^t *John Jenings* in y^e Court of *Lower Norfolk* County.

Tuesday May 19th 1691:

ORDERED that y^e Clerk of y^e Gen^l Affembly carry y^e following meffages to y^e house of Burgeffes

By y^e hon^{ble} their Ma^s Councill

M^r Speaker

Having confidered y^e returns of your house to y^e additions made to y^e Claimes, do here give You reasons besides thofe Sent with them to make appear they ought to be allowed *Viz^t*

Warwick County 1688

There is y^e fame reason that y^e poor men who were impreft to Sett Coll *Lear* over y^e River when he came for ye Countries Service about y^e Indians fhould be paid for carrying him home as well as fetching him.

York County 1688.

As to y^e Claimes of *Nath Bacon* Elq^r for Sixty one pds ten fhill and Six pence it appears by y^e proceedings of y^e laft Affembly in an answer Sent by y^e house of Burgeffes to y^e Councill dated *May 11th 1688.* that they had y^e perticulars before them and allowed 32^l: 16^s: 00 of y^e Article of 35^l: 10^s: 00^d.

And y^e article of 16^l: 10^s: 00^d; about y^e meffengers to *New York* &c the house answer'd they were willing to allow, what was really paid, and Coll *Cuftis* who is y^e party that paid it declares that he really and *bonâ fide* paid y^e whole in money.

And y^e particle [article] 03^l: 10^s: 00^d to *Gawen Dunbar* y^e house regulated y^e fame to 2^l: 10^s So as it appears y^e house had all y^e P^ticular accounts & examin'd them and therefore they ought to be allowed.

Surry County 1691

As to y^e Interpreters they were employed by y^e Gov^r Councill and Burgeffes, and there was neceffity for them for y^e safety of y^e Country, And there is as much Justice in paying of them y^e allowance that was Setled as in paying them any thing, And they have by their often going to and looking after y^e Indians in this time of Warr, and coming to Town been at great trouble and Charge and therefore we propofe they may have their full allowance.

And we conceive (efpecially in this time of warr) there cañot be lefs then three interpret^s, but we fhall be willing to leffen y^e Charge of y^e Country as much as poffible by finding methods that they fhall be at lefs trouble and Charge, and therefore Wee propofe that y^e Interpreters that belong to all y^e Indians on y^e South fide *James River* for y^e time to come fhall haue 4000 pds of tob^o & Cask ꝑ Anⁿ: y^e Interp^r to y^e Indians on *York River* 2500 pds of tob^o & Cask and y^e Interp^r on *Rappa* 2500 pds tob^o & Cask ꝑ añum.

James Cittiy

As to y^e addition to y^e Allowance to *W. Edwards* for extraordinary Service by reason of y^e wars &c his trouble and paines has been double what was ufual, and therefore we think he ought to be confider'd for it.

And as we out of refpect to your house do not difpute or queftion y^e allowances y^e house of Burgeffes makes to their Officers, So it Seems to us as reasonable that his Hon^r y^e L^t Gov^r and wee confider of fitt allowances for our Clerks.

As to Severall Allowances

To

To Messengers paid by m ^r Auditor <i>Byrd</i> for y ^e Countries Service.....	12: 12: 00
To Severall Messages for y ^e Countreys Service.....	18: 00: 00
To <i>W^m Cole</i> Esq ^r pd for messeng ^{rs} for y ^e Co ^s Service.....	01: 04: 00
To <i>Richard Lee</i> Esq ^r pd to divers Messeng ^{rs} to <i>Maryland Patowmeck & James Citty</i>	11: 05: 00
To M ^r <i>Rob^t Read</i> pd to messengers for y ^e Countreys Service.....	05: 00: 00
To <i>Edward Rofs</i> for Severall messages for y ^e Countrys Service.....	03: 00: 00
To <i>Edw^d Chalice</i> A Message for y ^e Count ^{rs} Service.....	1: 10: 00
To <i>ffra: Bullivant</i> for a message for y ^e Co ^s Service.....	00: 06: 00

The Gov^r & Councill never makeing any allowance of any Such thing, untill y^e same have been Strictly examin'd by them, and they knowing all these Sent to be Just and due to y^e Sevrall P^{er}sons imployed by y^e Hon^{ble} Gov^r &c they conceive they ought to be allowed, and It is y^e opinion of y^e Councill that their Examina^{ti}on is of equal credit with any County Court, and as to y^e P^{ar}ticular Services It caⁿot be done unless his Hon^r Could remember, and should give an acco^t of y^e Contents of every Letter Sent to him and wrote by him which is not requisite, and therefore they insit that y^e same be allowed, as at first proposd, but for y^e future y^e P^{ar}ticular receipts of every P^{er}son, & whether Sent may be kept and produced on all occasions as to y^e charge of four pds to *Alexander Boniman* twenty shill to *W^m Edwards*, and fifteen shill for a Law book Sent to *England*, all about reviving [revifing] y^e Laws y^e same was by y^e Kings order to y^e Gov^r and Councill and ought to be allowed.

As to y^e Article of forty pds to y^e Messenger now Sent to *Pensylvania New York and New England*, his name is *John Perry* who came from those parts to give an account to His Hon^r y^e L^t Gov^r of affaires there, and is imployed by y^e L^t Gov^r & Councill as *Coll Potter* was, and carried Letters from y^e R^t Hon^{ble} y^e L^t Gov^r to y^e Several Governm^{ts} that we might y^e better be enabled to take meafures for y^e defence of this their Ma^s Governm^t, & y^e Inhab^{ts} thereof, & we hourly expect his return.

As to y^e allowance to y^e Drum^{er}, It was y^e Constant and usual way to give y^e people notice of y^e Sitting of y^e Gen^l Court by beating y^e drum, and was for y^e onely Service of y^e Country & allwayes allowed by y^e publick.

And as *Rofs* was Justly punished according to his desert, for his abuses to y^e Speaker and Burgeffes, So it is but Just he should be paid what is due to him for his Services, but as he hath not for Some time So he shall not be any more imployed in that Service.

We approve of y^e Allowance you have raised for y^e Soldiers at y^e heads of y^e Rivers but desire that you will order care to be taken that y^e same be paid to them as near as possible to y^e places they range in, It being a military maxime to pay well and punish well.

May 19th 1691:

By order of Council

W. Edwards Cl Gen^l Affembl

By y^e hon^{ble} their Ma^s Councill

M^r Speaker

As to y^e Allowance made to *Coll Phill Ludwell*, altho' he was imployed without y^e Assent of y^e Councill, nor did they ever see any P^{ar}ticular acco^t of his expences, Yet to gratifie y^e desires of Your house We did Assent to y^e allowance of two hundred & fifty pds by you proposd, provided you allowed y^e P^{ar}ticulars to messengers and other Services which are really due for their Ma^s and y^e Countrys Service, and were part of y^e very charge that was allwayes paid by y^e poll, and so within y^e very Letter and intention of y^e Law, & we still continue o^r opinions that y^e allowances in y^e paper herewth Sent be paid, otherwise y^e whole be most humbly Submitted to y^e determina^{ti}on of his most Sacred Ma^c

May 19th 1691.

By order of Council

W. Edwards Cl Gen^l Affembl

Ordered that y^e Clerk of y^e Gen^l Affemby acquaint y^e house of Burgeffes, that if they will prepare an Addrefs to their most Sacred Ma^{es} Setting forth y^e Acco^u of Cap^t

John

John Jennings in *Lower Norfolk County Court*, and Sending it to be confidered if y^e Councill approve thereof, they will Joyn therein.

Some of y^e houle of Burgeffes brought y^e following meffage and addrefs to be prefented to their Ma^s

By y^e houle of Burgeffes

May 19th 1691

Ordered that y^e Addrefs to their Ma^s be prefented to y^e hon^{ble} Councill and that they be defired to Joyn with y^e houle in y^e fame, and that if they fhall not be pleafed So to do, that then they be defired to be a means to obtain leave from y^e Hon^{ble} y^e L^t Gov^r for this houle to appoint fome fitting p^{er}fon to prefent y^e fd Addrefs to their Ma^s from this houle, and in their behalves to Sollicite and obtain a fav^{able} Anfwer to y^e fame and to imploy So much of y^e money now in Bank from y^e impoficō of y^e 3^d p^{ar} gall upon liquors as fhall be Sufficent to defray y^e needfull charge thereof.

Teft Peter Beverley Clerk of y^e houle of Burgeffes.

Ordered that y^e Clerk of y^e Gen^l Affembly carry y^e following meffage to y^e houle of Burgeffes, & return y^e Addrefs to them.

M^r Speaker

As to y^e meffage Sent by y^e houle of Burgeffes defiring us to Joyn them in an humble Addrefs to their Ma^s Wee have confidered of y^e Addrefs and herewith Send our Opinions, how farr y^e Addrefs ought to extend.

And alfo in what points we are willing to Joyn with your Houfe, humbly to petiçon their Ma^s for Such Matters as are for y^e good of y^e Country.

And we fhall readily Joyn with your houle to y^e R^t Hon^{ble} y^e Lieu^t Gov^r that a fitt perfon may be appointed humbly to prefent y^e addrefs and petiçon to their Ma^s that fo much of y^e money in Bank as fhall be thought fitt may be employed in that Service.

May 19th 1691:

By order of y^e Councill

W. Edwards Cl Gen^l Affembly

By y^e hon^{ble} their Ma^s Councill

M^r Speaker

Wee haue taken y^e Addrefs Sent by yo^r houle into our Serious Confideraçon and will moft readily Joyn with you in any Addrefs and petiçon that becomes us, and will be for y^e good of this their Ma^s Dominion

And wee propofe that y^e firft part of y^e Addrefs Sent us being a congratulation of their Ma^s happy acceffion to y^e Crown and o^r humble prayers to God Almighty to prosper their Ma^s undertakings & preferve their Royal p^{er}fon, and our humble & hearty thanks for maintaining & Setling y^e Proteftant Religion and Church of *England* as y^e Same is Eftablifhed by Law &c Ought to be in An Addrefs by it Self for y^e R^t Hon^{ble} y^e L^t Gov^r Councill and houle of Burgeffes.

And if your houle please to appoint fome of y^r members there will fome of y^e Councill be appointed prefently after prayers to finifh that Addrefs.

And as to y^e other matters mençon'd in Your Addrefs, We are of Opinion that y^e proper way of humbly defiring any fav^r from their Ma^s ought to be by an humble petiçon by it Self and we will Joyn in that petiçon So far as is Suitable to our duties which is in y^e p^{ar}ticulars following, *viz^t*,

firft The great want of A^municōn y^e Country was in before their Ma^s were graciously pleafed to Send y^e hundred barrells of Powder laft year into y^e Country and Set forth y^e Poverty of y^e Country & want of Armes and A^municōn and fortifications, humbly to befeech their Ma^s to fend in what armes and A^municōn they fhall think fitt for y^e defence of y^e Country, And that their Ma^s will be graciously pleafed to appoint Some part of y^e Revenue, as they in their princely wifdomes fhall think fitt towards y^e fortifying Such places as fhall be moft convenient for y^e Sec^{ry} of this their Ma^s Country, and y^e fhips trading hither

2^d That their Ma^s would be graciously pleafed to confirm y^e Royal Charter granted to this their Ma^s Dominion by King *Charles* y^e Second of happy memory bearing date

y^e

y^e 10th day of *October* in y^e 28th year of his Reign, and all other Charters grants and priveledges granted before that time with Such further and other priveledges and Emolum^{ts} as their Ma^s in their Princely goodnes shall think fitt to grant to y^e Inhabitants of this their Ma^s Dominion, for y^e encouragement of others to come and inhabit here.

3^{ly} That their Ma^s wou'd be pleased to take into their Gracious confidera^{co}ns y^e Inhabit^s of y^e *Northern Neck*, between *Patowmack & Rapp^a* Rivers, And in their Princely goodnes take Such meafures that y^e Lands in that neck may be held as y^e other Lands in this Dominion are, directly from their Ma^s, and that those poor inhabitants may not be deprived of y^e Liberties priveledges and imunities y^e other Inhabitants, enjoy under their Ma^s which will much incourage y^e better Settling that part of y^e Country, and y^e better enable them to defend themselves from any forreign Enemy.

4^{ly} That their Ma^s would be pleased to take into their gracious confidera^{co}n, y^e Laws of this their Dominion, and be pleased to confirm Such & fo many of them, as he in his princely goodnes shall think fitt for y^e good & well Settlem^t of y^e Governm^t and prosperity of y^e Inhabit^s here, and that for redreffing any greivances or makeing any Laws that there shall be a neceffity for, for y^e better Governm^t of this y^e Ma^s Country, that their Ma^s would order & appoint that Gen^l Affembly's be held at least once in two years & oftener if neceffity require

May 19th 1691:

By order of y^e Councill

W Edwards C Gen^l Affemb

Mr *Christopher Robinson* &c wait upon y^e Councill in y^e Councill Chamber and Prefent

A Bill for y^e better defence of y^e Country,

Wherein they adhered to part of y^e amendm^{ts} propofed, and y^e Councill agreed y^e Reft fhould be left out.

A Bill for altering y^e time of proceffioning Lands

Agreed to without y^e amendm^{ts} propofed; &

A bill for Suppreffing out lying Slaves.

Ordered that y^e Clerk of y^e Gen^l Affembly carry y^e follō meffage to y^e houle of Burgefles.

By y^e hon^{ble} their Ma^s Councill

Mr Speaker

Wee propofe that this Clause be inferted in y^e bill for Suppreffing out lying Slaves, in y^e 20th line immediately after y^e words *wayes w^tfoever, viz^t*

Provided that where any Negro or Mulatto Slave or Slaves fhall be kill'd in y^e purfuance of this Act, the owner or Owners of Such Negro or Mulatto Slave fhall be pai'd for Such Negro or mulatto Slave 4000 pds of tob^o by y^e publick.

Alfo we propofe that this following Addition may be made to y^e Said Bill, And be it further enacted by y^e Authority aforefd and It is hereby Enacted, that if any *Engliſh* woman being free fhall have a baftard Child by any Negro or Mulatto ſhe fhall pay y^e Sum of fifteen pds *Sterl* within one moneth after Such baftard Child fhall be born, to y^e Church wardens of y^e *¶*ifh where ſhe fhall be deliver'd of Such Child, and in default of Such payment ſhe fhall be taken into y^e poſſeſſion of y^e Church wardens, and diſpoſed of for five years, and y^e ſaid Sum of fifteen pds or w^t ever y^e woman fhall be diſpoſed of for fhall be paid one third part to their Ma^s for and towards y^e Support of y^e Governm^t and y^e Contingent Charges thereof, one other third part to y^e uſe of y^e *¶*ifh where y^e Offence is Committed, and y^e other third to y^e Informer. And that Such Baftard child be bound out as a Servant by y^e ſd Church wardens untill he or ſhee fhall attain y^e age of 30: years, and in Caſe Such *Engliſh* woman that fhall have Such baftard Child be a Servant, ſhe fhall be ſold by y^e ſaid Church wardens (after her time is expired that ſhe ought by Law to Serve her maſter) for five years, and y^e money ſhe Shall be ſold for divided as is before Appointed, & y^e Child to Serve as aforefd.

And forasmuch as great inconveniencys may happen to this Country by y^e Setting of Negroes and Mulattoes free, either by entertaining Negro Slaves from their Maſt^{rs} Service, or receiving Stolen goods, or being grown old bringing a Charge on y^e Country
for

for prevention whereof Bee it enacted by y^e Authority aforefd and It is hereby enacted that no Negro or mulatto be after y^e End of this p^rsent Seſſion of Affembly Sett free by any P^{er}ſon or P^{er}ſons whatſoever unleſs Such P^{er}ſon or P^{er}ſons their heirs Ex^{ts} or adm^{rs} pay for y^e tranſportation of Such Negro or Negroes out of y^e Country within Six moneths after Such Setting them free, upon penalty of paying ten pds *Sterl* to y^e Church wardens of y^e pariſh where Such P^{er}ſon ſhall dwell with which money or So much thereof as ſhall be neceſſary y^e ſaid Churchwardens are to cauſe y^e ſaid Negro, or mulatto to be tranſported out of y^e Country;

and y^e remainder of y^e ſaid money to imploy to y^e uſe of y^e poor of y^e pariſh.

May 19th 1691

By Order of Council

W. Edwards Cl Gen^l Affembl.

Wednesday May 20th 1691

MR *Hen Hartwell* &c wait upon y^e Councill in y^e Councill Chamber & preſent a peti^{ti}on and addreſs to their moſt Sacred Ma^s, and deſire their Concurrence
Ordered that y^e Clerk of y^e Gen^l Affembly carry y^e foll meſſage to y^e houſe of Burgeſſes.

By y^e hon^{ble}s their Ma^s Councill

M^r Speaker

Wee have taken into our conſidera^{ti}ons y^e peti^{ti}on prepared to be preſented to their Ma^s and p^{ro}poſe that y^e following altera^{ti}ons be made therein, *viz^t*

In y^e 5th line of y^e firſt ſide inſtead of y^e word (*Sheweth*) be inſerted in all humility preſent.

In y^e 6th line of y^e Second ſide inſtead of y^e word, *many*, be inſerted, holding their Lands from y^e Crown & enjoying y^e—

In y^e 30th Line of y^e Same Side, inſtead of y^e words *there not being*, and ſo to y^e bottom of that ſide be inſerted, untill your Ma^s out of yo^r Princely goodneſs and Care of this your Dominion & y^e Inhabitants hereof, were graciouſly pleaſed to order one hundred bar^{ls} of powder to be Sent into this Country for which your Ma^s gracious favor according to our bounden duties, we return our moſt humble thanks and now moſt humbly beſeech your Ma^s to give Your Royal Com^{mands} that ſuch part of yo^r Ma^s Revenue in this Your Dominion be applyed &c as in y^e firſt line of y^e 3^d Side.

And inſtead of y^e Laſt Sect: that y^e following be inſerted, We further moſt humbly beſeech your Ma^s that Gen^l Affembl^{ys} be held at leaſt once in two years, and oftener if occaſion ſhall require to redreſs greivances and make laws for y^e better Govern^{mt} of this Dominion, and that your Ma^s would take y^e Laws of this your Dominion into your Royal conſidera^{ti}ons, and Such and ſo many of them to approve and confirm as in your princely goodneſs You ſhall think fitt, for y^e good and well Settlement of this Govern^{mt} and proſperity of y^e Inhabitants thereof.

And wee propoſe that in y^e addreſs to be preſented to their moſt gracious Ma^s, y^e following amendm^t & addition be made, *viz^t*

In y^e 9th line y^e words (the reſt of) bee left out and that at y^e End of y^e ſd Addreſs be added Your Ma^s moſt entirely Devoted Subjects.

Alſo we propoſe that y^e Addreſs be Sign'd by y^e L^t Gov^r Councill and every Burgeſs of your houſe and that y^e peti^{ti}on be Sign'd, by m^r Sec^{ry} *Cole* on behalf of y^e Councill, and by You on behalf of Your houſe

May 20th 1691:

By order of Council

W. Edwards Cl Gen^l Affembl

M^r *Henry Hartwell* &c wait upon y^e Councill in y^e Councill Chamber, with an humble Addreſs to be preſented to their moſt Sacred Ma^s Setting forth y^e Acti^{on} of Cap^t *John Jennings* in *Lower Norfolk* County Court, & deſire their concurrence.

M^r

Mr *Christopher Robinson* &c wait upon y^e Councill in y^e Councill Chamber with an humble Address to be presented to their most Sacred Ma^s which followeth and desire their Concurrence, and also acquaint them that their house had made Choice of y^e Reverd Mr *James Blair* to go for *England* & mannage y^e Same, & desired their Concurrence.

To their most Excellent Maj^{ties} William and Mary by y^e grace of God of England Scotland France Ireland and Virginia King & Queen defend^{rs} of y^e ffaith &c

The humble Supplication of y^e Gen^l Assembly of Virginia

Wee y^e L^t Govern^r [See J. of H. of B., p. 368.]

Ordered that y^e Clerk of y^e Gen^l Assembly carry y^e following messages to y^e house of Burgeses, & acquaint them that m^r *Ebourne* and m^r *Sclater* have been before y^e R^t Hon^{ble} y^e L^t Gov^r & Council and acknowledged their Error in y^e issuing y^e warrant relating to y^e Ecclesiastical Court, & have received reproof, and also know of them if they desire any further proceedings.

By y^e Hon^{ble} their Ma^s Councill

Mr Speaker

In y^e Address rec^d from Your house to be presented to their most Sacred Ma^s Setting forth y^e Action of Cap^t *John Jennings* Comander of their Ma^s Ship *Experiment* in *Lower Norfolk* County Court y^e 7th day of this Instant, Wee propose that You consider whether y^e depofitions make appear y^e Seamen had one or more axes as is Set forth and if they do not that those words be left out & y^t instead of these words in y^e 19th & 20th lines of y^e 3^d fide (and desired to be p^{er}mitted to go ashore) be put, And Cap^t *Jennings* not being on board his officers desired to deliver him, and that y^e words (desperate and) in y^e 26th line of y^e aforesd Side be left out, y^e word *dangerous* being of an extent as is Supposed large enough, Also in y^e Close that instead of these words (receive Judgem^t according to y^e Laws of y^e Land) be inserted be dealt withal as Your Ma^s in yo^r Princely wifdomes shall think fitt.

And y^e humble Supplication to be presented to their Ma^s for their Royal grant and Charter to Erect a Colledge in this Colony is approved, as also Your Choice of y^e Reverend m^r *James Blair* to present y^e Same

May 20th 1691:

By order of y^e Councill

W Edwards Cl Gen^l Assembly

By y^e hon^{ble} their Ma^s Councill

Mr Speaker

Wee propose that you agree with Some p^{er}son to repair y^e Gen^l Court house, and to rail it in to keep it from those indecencies it is now exposed to & also that you Leavy & pay to m^r *Henry Gauler* for Some Small matter done in y^e Room where y^e Gen^l Court is held by order of y^e R^t hon^{ble} y^e L^t Govern^r and us, y^e workmen being employed by him & he having paid for y^e plank and nailes with which y^e same was done, and found y^e workmen Diet.

May 20th 1691

By order of Councill

W Edwards Cl Gen^l Assembly

The Clerk of y^e Gen^l Assembly returns from y^e house of Burgeses, and reports that they are well satisfied with y^e proceedings ag^t m^r *Ebourne* & m^r *Sclater* & humbly Submitt to y^e same.

Mr *Christopher Robinson* &c wait upon y^e Councill in y^e Councill Chamber, and present a Bill for Lessening y^e Leavy by y^e pol, & laying an Imposition on Liquors.

A Bill appointing a Treafurer, & also y^e following answ^r to y^e proposall about y^e repairing and railing in y^e Gen^l Court house.

By y^e house of Burgeses

May it please yo^r hon^{rs},

The house having rec^d your Hon^{rs} proposall for them to agree with some p^{er}son to repair y^e Gen^l Court house, and to Rail it in, make answ^r: That y^e house being now
upon

upon a conclusion of their bufinels, and y^e time too far Spent for them to make Such agreement humbly desire y^e R^t Hon^{ble} Y^e L^t Gov^r & Yo^r Hon^{rs} will please to do therein as your Hon^{rs} shall think fitt, and y^e house shall allow for y^e Charge thereof.

May 20th 1691

Test Peter Beverley Cl of y^e House of Burgeffes.

M^r *Christopher Robinson* &c wait upon y^e Councill in y^e Councill Chamber & present a propofall for presenting y^e R^t Hon^{ble} y^e L^t Gov^r three hundred pds *Sterl* which was readily agreed to. and accordingly delivered his Hon^r, who answer'd that he gratefully reced y^e good will of y^e Councill and house of Burgeffes, But could not testifie y^e same by accepting their present without y^e leave of their Ma^s It being contrary to his Instruc^{ions} in that Cafe.

Ordered that *Will^m Edwards* Clerk of y^e Gen^l Affembly carry y^e following meffage to y^e house of Burgeffes

By y^e Hon^{ble} their Ma^s Councill

M^r Speaker

Wee propofe that y^e following altera^{cons} and additions be made in y^e following Bills, viz^t,

In y^e Bill for lessening y^e Leavy by y^e Poll & laying an Impofition on Liquores, In y^e 10th line of y^e firft fide immediately after y^e words, *Satisfied & paid*, be inferted to their Ma^s their heirs & Successo^{rs} to and for y^e uses intents and purpofes hereafter mencon^d, and to and for no other use intent or purpose whatsoever

In y^e 14th line of y^e Second fide inftead of y^e word, *same*, be inferted gall every cask did contain.

In y^e Bill appointing a Treafurer, in y^e 17th & 18th lines of y^e firft fide y^e words, *this their Ma^s Dominion of Virg^a*, be left out, and y^e following inferted the revenue arifeing by y^e two before Specified a^{cts}, and that an additional claufe be enterd declaring Who shall take y^e bond to be given by y^e aforefd Treafurer.

May 20th 1691

By order of y^e Councill

W Edwards Cl Gen^l Affembl

Thursday May 21: 1691

MR *W^m Lewis* &c wait upon y^e Councill in y^e Councill Chamber, and acquaint them that their house had made Choice of *Jeffrey Jeffreys* Esq^r to present y^e humble Addrefs and peti^{con} to their moft gracious Ma^s and desired their concurrence

Ordered that y^e Clerk of y^e Gen^l Affembly go to y^e house of Burgeffes and acquaint them that y^e Councill well approve of their Choice of *Jeffrey Jeffreys* Esq^r, and that they desire a conference with some members of their house in y^e Councill Chamber, to find out some expedient for y^e obtaining their Ma^s Leave for y^e L^t Gov^r to accept y^e Sum of 300£ *Sterl*

M^r *Christop^r Robinson* &c wait upon y^e Councill in y^e Council Chamber and acquaint them their house had propofed that y^e fum of two hundred pds *Sterl* be put into y^e hands of y^e Reverend *James Blair* towards his expences and Cofts in procuring a Charter for y^e Erecting of y^e Colledge, and that y^e Same be paid to him by m^r Audit^r *Byrd* out of y^e moneys now in his hands, raifed by y^e impofition upon Liquors, and that y^e fum of two hundred pds be paid to *Jeffrey Jeffreys* Esq^r towards defraying y^e Charge and expence of presenting y^e Addrefs and peti^{con} to their Ma^s, and Solliciting and obtaining their Ma^s gracious and favrable Answer, and desired their concurrence, Both which were readily agreed to.

M^r Sec^{ry} *Cole* reports from the Conference y^e methods propofed to Supplicate their Ma^s to give liberty to present y^e R^t hon^{ble} y^e L^t Gov^r with y^e fum of three hundred pds *ster*

Some

Some of y^e houle of Burgeffes wait upon y^e Councill in y^e Councill Chamber, and desire their concurrence in disposing of y^e money raised from y^e Impofition upon Liquors, in y^e hands of m^r Audit^r Byrd, And y^e late m^r Audit^r Bacon, for y^e easing y^e Leavy p^{d} poll, to which y^e Councill gave their Affent. they also desired that y^e houle might have liberty to give m^r Edward Chilton Clerk of one of their Comittes five pds for his extraordinary Services, out of it.

To which y^e Councill Answer'd they would agree thereto provided their houle would let W^m Edwards Clerk of y^e Gen^l Affembly have y^e Like Sum who had well deferved it.

M^r Christop^r Robinson &c wait upon y^e Councill in y^e Councill Chamber and desired that m^r Chilton Clerk of one of their Comittes for his extraordinary Services may be allowed five pds Sterl out of y^e money raised by y^e Impofition on Liquors to which y^e Councill answer'd they Judged y^e said Chilton had well deferved y^e allowance of five pds Sterl, and so had W^m Edwards their Clerk, and they were willing y^e said Chilton should be paid y^e same provided their houle would agree to pay y^e said Edwards five pds for his extraordinary Service.

They also present y^e following Addreffes and peticoñ

To y^e King & Queens most Excellent Ma^s

The Humble Adrefs of Yo^r Ma^s L^t Gov^r Councill & Burgeffes of y^e Gen^l Affembly of Virginia

Wee your Ma^s most dutifull [See J. of H. of B., p. 370.]

Virg^a

To their Most Sacred Ma^s

Wee your Ma^s most dutifull and Loyal Subjects Yo^r L^t Gov^r Councill and Burgeffes of this Gen^l Affembly now Affembled, most humbly present

That whereas Your Ma^s [See J. of H. of B., pp. 367-8.]

To y^e King and Queens most Excellent Ma^s

May it please Yo^r Ma^s

The great worth [See J. of H. of B., p. 373.]

To y^e King & Queens Maj^{ties}

The humble peticoñ of Your Ma^s Councill and y^e Burgeffes of y^e Gen^l Affembly of Virginia In all Humility Setteth forth

That being fully Affured [See J. of H. of B., pp. 371-2.]

Ordered that W. Edwards Clerk of y^e Gen^l Affembly go to y^e houle of Burgeffes and return them y^e Severall Addreffes and peticoñ to be presented to their most gracious Maj^{ties} and acquaint them that they approve of them, Also, that Edward Hill Esq^r who was appointed Treafurer of their Ma^s Revenue of this Country arising by Vertue of an Impoficon on Liquors Skins & ffurs had nominated Henry Whiting Esq^r and William Randolph Gent Securities for his due p^{d} formance of y^e said place or office which y^e Councill approved and desired their approbation that bond might be taken accordingly.

And y^e said Edwards having p^{d} form'd y^e same return'd Answer that they well approved y^e Sec^{ry} presented by Coll Edward Hill, and desired that bond might be taken and Lodged in y^e Sec^{ry} Office. *It is therefore Ordered* by y^e R^t Hon^{ble} y^e L^t Gov^r and Councill that W. Edwards Clerk of y^e Councill prepare a bond to be sign'd in Councill and register y^e same in the Sec^{ry} Office after Signing thereof.

Some of y^e Houfe of Burgeffes wait upon y^e Councill in y^e Councill Chamber and present, the Instruccions to be given to y^e Reverend m^r James Blair for y^e Solliciting y^e buifness of y^e Colledge, and desired their Approbacon.

Ordered that y^e Clerk of y^e Gen^l Affembly carry y^e following meffage to y^e houle of Burgeffes

By

By y^e hon^{ble} their Ma^s Councill

M^r Speaker

Having confidered y^e Instruccons to M^r *James Blair Comiffary &c.*

We propofe that y^e third Instruccon be *Viz*^t You fhall as foon as you arrive in *England* make your application to his Excell^{cy} *francis* Lord *Howard of Effingham* their Ma^s Lieut & Gov^r Gen^l of *Virginia* if he be there and acquaint his Lord^p with y^e Addrefs, and defire his Lord^ps Affiftance in promoteing y^e Same.

And that y^e third Article be made y^e fourth & fo on,

Alfo in y^e 22^d, and 23^d articles his Exc^{ly} ought to be named one of y^e P^{er}sons

May 21: 1691:

By order of Councill

W. Edwards Cl Gen^t Affembly

ffryday May 22: 1691

MR *Robert Carter &c* wait upon y^e Councill in y^e Councill Chamber and prefent a Letter and Instruccons to be Sent to *Jeffrey Jeffreys* Efqr and defire their Concurrence,

Order'd that y^e Clerk of y^e Gen^l Affembly carry y^e following meffages to y^e houle of Burgefles,

By y^e Hon^{ble} their Ma^s Councill

M^r Speaker

Having confidered y^e Letter to be Sent to *Jeffrey Jeffreys* Efqr propofe y^e following amendments *Viz*^t

That y^e 17th 18: 19: & 20: lines & y^e words *under you* in y^e 21st be left out and y^e following inferted,—makeing ufe of y^e beft means to prefent to their Sacred Ma^s One Congratulatory Addrefs Sign'd by y^e R^t Hon^{ble} their Ma^s Lieu^t Gov^r and Councill and Burgefles of y^e Gen^l Affembl another Addrefs fign'd as y^e other about Cap^t *Jennings* Comand^r of their Ma^s Ship *Experiment*, alfo an humble Addrefs to their Ma^s Sign'd by m^r Sec^{ry} *Cole* by order of y^e Councill and Coll *Thomas Milner* Speaker about y^e L^t Gov^r and Humble Supplication of y^e Councill and Burgefles Sign'd by m^r Sec^{ry} *Cole* by order of y^e Councill and y^e Speaker, which are herewith Sent you, as alfo that you wou'd by Your Self or Such P^{er}fon or P^{er}sons as you fhall Imploy under you.

And that inftead of y^e words (we promife & oblige) in y^e 22th line of y^e Second Side and all y^e reft of that Side, be inferted there is care taken by y^e Affembly that upon y^e firft notice from you what money you fhall So difburfe more then y^e two hundred pds fhall be prefently repaid you as appears by y^e Inclofed order of Affembly.

May 22th 1691:

By order of Councill

W. Edwards Cl Gen^l Affemb:

By their Ma^s Councill

M^r Speaker

Having confider'd y^e Instruccons to be Sent to *Jeffrey Jeffreys* Efqr Send you y^e following Anfwer, *viz*^t

In y^e 2^d Instruccon inftead of y^e words (y^e humble Addreffes and peticons of this Gen^l Affembly) be inferted one congratulatory addrefs Sign'd by y^e R^t Hon^{ble} their Ma^s Lieu^t Gov^r Councill and Burgefles of y^e Gen^l Affembly, Another Addrefs fign'd as y^e other about Capt *Jennings* Command^r of their Ma^s fhip *Experiment*, Alfo an humble Addrefs to their Ma^s Sign'd by m^r Sec^{ry} *Cole* by order of y^e Councill and Coll *Thomas Milner* Speaker about y^e L^t Gov^r & an humble Supplication of y^e Councill and Burgefles Sign'd by m^r Sec^{ry} *Cole* by order of y^e Councill and y^e Speaker which are herewith Sent you,

The 5th 6, 7 & 9th Instruccons we canot Joyn in,

In y^e 11th wee agree that he fhall indeavo^r to get a Claufe in y^e Charter that y^e Inhabitants of this Dominion fhall have an Immediate dependance on y^e Crown of *England*, but not mencon any thing of y^e incorporating.

In

In y^e 12th y^e word Govern^r being left out wee agree to y^e Rest.

In y^e 14th inftead of y^e words *these and all other affairs that may concern this Dominion* we propofe may be put y^e Addreffes and peticons herewith Sent

May 22^d 1691

By order of y^e Councill

W. Edwards Cl Gen^l Affembly

M^r *Chriftopher Robinson* &c wait upon y^e Councill in y^e Councill Chamber and pre-
fent an acco^t of y^e proportioning and ordering of y^e money in y^e hands of m^r Aud^r
Bacon and m^r Auditor *Byrd* raifed from y^e Impofition upon Liquors, and a bill for raifing
a publick Leavy, and defired their concurrence.

Ordered that y^e Clerk of y^e Gen^l Affembly go to y^e houle of Burgeffes and acquaint
them that y^e accout of y^e proportioning and ordering of y^e money &c

And y^e bill for raifing a publick Leavy are agreed to.

Cap^t *Ball* &c wait upon y^e Councill in y^e Councill Chamber and prefent a refolve
of y^e houle for m^r *James Blair* to be impowred to take up moneys in *England* on Credit
not exceeding two hundred pds *Sterl.*

Alfo a Refolve of their houle for y^e reimburfing *Jeffrey Jeffreys* Efqr Such Sum or
Sums of money as he fhall difburfe in or about Solliciting Severall addreffes and a
peticon to their Ma^s &c out of y^e moneys firft arifing from y^e Impofition laid upon Liquors
this Affembly,

Order'd that y^e Clerk of y^e Gen^l Affembly return y^e two afores'd refolves to y^e
houle of Burgeffes—affented to

Ordered that y^e Clerk of y^e Gen^l Affembly go to y^e houle of Burgeffes and acquaint
them that y^e R^t Hon^{ble} y^e L^t Gov^r and Councill Comand their Attendance in y^e Gen^l
Court houle forthwith where they being Come y^e Severall Laws made this affembly
were publifhed, and Sign'd by y^e R^t Hon^{ble} y^e Lieut Govern^r and Speaker and y^e L^t
Gov^r prorogued y^e Affembly to y^e firft day of *Aprill* next.

Cop^a Vera

Teft W. Edwards Cl Gen^l Aff^{by}

ATT A

GENERALL ASSEMBLY

begun at *James Citty Aprill* the 16th in the third yeare of the
Reigne of Our Sovereigne Lord and Lady *William* and
Mary King and Queen of *England Scotland France Ireland*
Virg^a. Defend^{rs} of the Faith *Annoq₃ Dom: 1691*, and thence
Prorogued to the first day of *Aprill* in the 4th yeare of the
Reigne of Our Said Sovereigne Lord and Lady *William* and
Mary King and Queene &c *Annoq₃ Dom 1692*

Att a Generall Affembly begun at *James Citty Aprill* the 16th
in the third yeare of the Reigne of Our Sovereaign Lord
and Lady *William* and *Mary* King and Queen of *England*
Scotland France Ireland Virg^a. Defend^{rs} of the Faith *Annoq₃*
Dom: 1691, and thence Prorogued to the first day of *Aprill*
in the 4th yeare of the Reigne of Our Said Sovereaign Lord
and Lady *William* and *Mary* King and Queene &c *Annoq₃*
Dom 1692

[*April 1st, 1692*]

Present

THE R^t Hono^{ble} *Francis Nicholfon* Esq^{re} their Ma^s Liev^t Gov^r of *Virginia*, *William*
Cole Esq^{re} Se^c., *William Byrd* Esq^{re}, *John Lear* Esq^{re}, *C^r Wormeley* Esq^{re},
Henry Whiting Esq^{re}, *Edmund Jenings* Esq^{re}

Aprill 2^d 1692

M^R *Henry Hartwell* &c. waite upon the R^t Hono^{ble} the Liev^t Gov^r and Councill,
and desire that Councill may be assigned to fweare the New-Elected Members
of their Houfe, and accordingly *W^m Byrd* Esq^{re} and *Henry Whiting* Esq^{re} were
appointed and Comiffionated to Adminifter to the Members of the Houfe of
Burgeffes who were not already Sworne, the Oaths by Law appointed to be taken,
inftead of the Oaths of Allegiance and Supremacy, and the Oath of a Burgefs.

Aprill the 5th 1692

CAPT *William Robinfon* &c waites on the R^t Hono^{ble} the Liev^t Gov^r and acquaints
him the Houfe of Burgeffes requests that he would iffue out a New Writt for
the Election of another Burgefs for *Elizabeth Citty* County in the Roome and
place of Mr *Willis Wilfon* who was incapable to Serve as a Member of this
Affembly being under the Age of one and twenty yeares.
And accordingly a New Writt was iffued.

Aprill the 6th 1692

THE R^t Hono^{ble} the Liev^t Gov^r thro his Indifpofition of Body being incapable of
Expreffing himfelfe to the Houfe of Burgeffes, *It is refolved* that Mr Secret.
Cole read his Hono^{rs} Speech to them in the Courthoufe, And *Ordered* that the
Clerke of the Gen^l Affembly waite on the Houfe of Burgeffes and acquaint
them that the Liev^t Gov^r required their Immediate Attendance on the Councill in the
Court-houfe, where the Councill being come, and the Houfe of Burgeffes giving their
Attendance, Mr Secret: *Cole* acquainted them, the reafon of the R^t Hono^{ble} the Liev^t
Gov^{rs} abfence, and then read the following Speech
Gent.

God by his Divine Providence [See J. of H. of B., 1659/60-93, p. 384.]
The

The Clerke of the Gen^l Affembly by the Comand of the Lievt Gov^r and Councill published a Comiffion from the R^t Hono^{ble} the Comiffion^{rs} of their Ma^s Customes appointing *Edward Randolph* Esq^{re} Survey^r Gen^l of their Ma^s Customes in the North part of *America*, and a letter from them to give him all Just and Needfull Affistance.

After which M^r *Speaker* moved that the R^t Hono^{ble} the Lievt Gov^r would favour their Houfe with a Copy of his Speech, and then the Councill returned to the Councill Chamber.

Ordered that the Clerke of the Gen^l Affembly Carry a Copy of the R^t Hono^{ble} the Lievt Gov^{rs} Speech to the Houfe of Burgefles, and an acco^t of the Stores and Powder fent into this Colony, by their Ma^s for the defence of the Countrey, that they may See how bountifull their Ma^s have been, as alfo that he deliver Cap^t *Norringtons* Letter about the fame, and defire them to be as Expeditious in their Refolve about the Powder as poffible, And alfo that he deliver to them his Moft Sacred Ma^s Leave to the R^t Hono^{ble} the Lievt Gov^r to accept the three hundred pounds he was prefented with the laft Gen^l Affembly, and *Jeffrey Jeffreys* Esq^{re} his Letter relating to the tranfactions of the laft Affembly

Aprill 8th 1692

LIEV^t Coll *Law*: *Smith &c* waite upon the Councill and p^rsent the following Meffage
Aprill the 8th 1692

By the Houfe of Burgefles

Resolved that it is the Duty [See J. of H. of B., p. 385.]

Ordered that the Clk of the Gen^l Affembly carry the following anfwer to the Houfe of Burgefles

Aprill 8th 1692

By the Hono^{ble} their Ma^s Councill

Upon Reading a Meffage from the Houfe of Burgefles, that the Councill would Joyn with them in an addrefs to the Lievt Gov^r to appoint a day for a publick thanksgiving in *James Citty* to return hearty and unfeigned thanks to Almighty God for the prefervation of their Ma^s Moft Sacred perfons in the late eminent hazards and dangers thereof, and for the Succels of his Ma^s Armes againft the Enemies of Our Nation and Religion, and alfo to make humble and fenfible acknowledgm^{ts} of that Peace and Quietnefs this Country doth at p^rsent enjoy throth the unfpeakeable goodnefs and Mercy of God towards us in particular, and to appoint a Minifter to preach before the Gen^l Affembly, alfo to appoint another day to Solemnife the fame throth the whole Country.

The Councill moft readily Concurrs with the Houfe of Burgefles in the faid Addrefs, and are ready to Joyn with fuch Members as fhall be appointed by the Houfe of Burgefles to waite on the R^t Hono^{ble} the Lievt Gov^r to defire him to doe the fame.

Teft W. Edwards Cl Gen^l Aff^{by}

Some of the Houfe of Burgefles waite upon the Councill and with them Joyn in Supplicating the R^t Hono^{ble} the Lie^t Gov^r to appoint the days for the publick thanksgiving, who accordingly *Ordered* that the fame be performed by the Gen^l Affembly and Inhabitants of *James Citty* on *thurfday* the 14th of this Infant, and by the whole Country on *thurfday* the 28th day of this Moneth, and that Proclamations be accordingly prepared that publick Notice thereof may be given throth the Country.

Aprill 9th 1692

CAPT *Ifaac Townfend* Comand^r of their Ma^s Ship *Affureance* and Comodore of the Fleete from *London* declaring he is *Ordered* to ftay but fixty days after his Arrivall, *It is Ordered* that the Clerke of the Generall Affembly acquaint the Houfe of Burgefles therewith that they may prepare themselves both in refpect of the Gen^l Affembly and their private affaires accordingly—

The

The Clerke of the Gen^l Affembly returns with anfwere that the Houfe of Burgefles returned their hearty thanks for this favour

M^r C^r *Robinfon* &c waite upon the Councill and defire that they will Joyne with them in prefenting the following Addrefs to the R^t Hono^{ble} the Liev^t Gov^r viz^t To the R^t Hono^{ble} Francis Nicholfon Efqr^e their Ma^s Liev^t Gov^r of Virginia.

May it please yo^r Hono^r

Wee being acquainted [See J. of H. of B., pp. 387-8.]

To which the Councill Anfwered they would Confider thereof, and return them an anfwere.

Aprill 11th 1692

ORDERED that the Clerke of the Gen^l Affembly Carry the following Anfwere to the R^t Worp^l the Houfe of Burgefles

Aprill 11th 1692

By the Hono^{ble} their Ma^s Councill

M^r Speaker

Having late on *Saterday* night received a Meffage from the Houfe of Burgefles that wee would Joyn in prefenting to the R^t Hono^{ble} their Ma^s Liev^t Gov^r the Addrefs fent us, that if poffible a longer time may be appointed for the Fleetes Staying in this Country, And the fame being for their Ma^s Service wee fhall moft readilye doe it, but Judge it very requifite the following reafons be added viz^t that the Fleete hath been three Weekes acomeing in, and are not all yet arrived, and Some of them that are not got to the places they are to Load at, that there is great Want of Sloopes, the great ones having been fitted and Sent for *England* with Tob^o, and thofe that belong to the Ships which were here two yeares agoe, are almoft Spoiled, foe that it will be a Confiderable time before they can be made Serviceable, and the Ships Rideing in Severall Rivers at great diftance from one another, It is oftentimes a fortnight or longer before they can get to the place of makeing up the Fleete to Sayle, for that Severall Winds are required to carry them thither, And it is prefumed in *Maryland* the like Inconveniencies are, if not Worfe.

Signed by Order of their Ma^s Councill

W. Edwards Cl Gen^l Aff^{ly}

M^r C^r *Robinfon* &c waite upon the Councill, and acquaint them that the Houfe of Burgefles having Entered the Addrefs to be prefented to the R^t Hono^{ble} the Liev^t Gov^r to procure if poffible a longer time for the Ships Staying in the Country in their Journall, and the particuler reafons mentioned by their Hono^{rs} being in Gen^l termes contained in the faid Addrefs, moved that they would Joyn in prefenting it, as it was, without the Addition propofed, to which the Councill Anfwered, that thô the Addrefs were Entered in the Journall of the Houfe of Burgefles, what was propofed was onely an Addition to the faid Addrefs, which was very ufual to be made, and were therefore of Opinion it was Neceffary for the fuller Manifeftation of the reafons for the Ships ftay that it fhould be added, to which the faid *Robinfon* Anfwered he would report the fame to the Houfe of Burgefles.

And then acquainted the Councill the Houfe of Burgefles defired they would Joyn in with fome Members of their Houfe to Confider the beft way to difpofe of the Powder fent by their Ma^s, and Cheapeft way of Conveyance, to which the Councill Anfwered they would willingly doe it, and appointed tomorrow in the Evening for the doing thereof.

And then further acquainted the Councill the Houfe of Burgefles defired they would Joyn with fome Members of their Houfe to Confider An Amendment in the Writts for the meeting of the Burgefles upon Adjourned or Prorogued Affemblies, to be prefented to the R^t Hono^{ble} the Liev^t Gov^r to which the Councill Anfwered they would readily Joyn in the Confideration thereof.

Aprill

Aprill 12th 1692

MR *C^r Robinson* &c waites upon the Councill and delivers them the Address with the Addition propofed to be prefented to the R^t Hono^{ble} the Liev^t Gov^r about the Ships ftaying longer in the Country then the Comodore declared he had Ord^r for, and the fame being Signed, By Ord^r of the Councill *William Cole* Se^c: for the Burgefles *Tho: Milner*, was by the Councill and Burgefles who brought it prefented to the R^t Hono^{ble} the Liev^t Gov^r; to which His Hono^r answered that well knowing what was defired, was for their Ma^s and this Countrys Service, he would doe what he could therein

Lionell Copley Efqr^e Cap^t Gen^l and Gov^r in Chief of *Maryland* having defired the Rt Hono^{ble} their Ma^s Liev^t Gov^r to lend that Government fifty barrells of Powder, and there being noe Powder in this Colony but that Sent in by their Ma^s for the ufe of this Countrey, the difpofeing whereof is recomended to the Houfe of Burgefles.

It is Ordered that the Clerke of the Gen^l Affembly Carry the faid Letter to them, and defire their Opinion what Quantity may conveniently be Spared.

M^r *C^r Robinson* &c. waite upon the Councill to Conſider the Amendment propofed in the Writt for the meeting of the Burgefles upon Prorogued or Adjourned Affemblies, and propofeing that the Claufe in the Writts comāding the Sheriffs to caufe to be Elected Burgefles in the places of thofe that ſhould be dead abſent or otherwaies incapacitated, ſhould be left out, for by them the Sheriffs were made Judges of the Capacity of perſons to Serve in the faid Affemblies, and the Councill having Conſidered the fame were of Opinion that, that Claufe was abſolutely Neceffary, for if it were Omitted then noe new Burgefes could be Elected till the Houfe of Burgefles mett and defired Writts for the doing thereof, which would Occaſion a very great delay of Buſineſs, and thereby put the Country to an Exceſſive Charge, nor was the Sherriffe Judge as was alleadged, for the Cuſtome and pra^ctice of the Country all along hath been that if any perſon who was a Burgefes at the Adjournm^t or Porogation of the Affembly ſhould be dead out of the Country or made Sheriffe another was to be Elected in his place, and the Sheriffe was onely the Officer to See the fame done, but when the Houfe of Burgefles ſhould Serve without pay, the Motion might be reaſonable

Aprill 13th 1692

JOHN CUSTIS Efqr^e added.

M^r *Benja: Harrifon* &c waites upon the R^t Hono^{ble} the Liev^t Gov^r and Councill and acquaints them that the Houfe of Burgefles agreed his Ex^{cy} *Lionell Copley* Efqr^e Cap^t Gen^l and Gov^r in Chiefe of *Maryland* ſhould be Supplied with twenty five barrels of Powder provided he gives ſuch Caution as the R^t Hono^{ble} the Liev^t Gov^r ſhould think fitt, to return it in ſuch time and at Such place as his Hono^r ſhall appoint, and defired that his Hono^r and the Hono^{ble} Councill would Joyn with them in proportioning the remainder of the Powder, and Conſidering the Cheapeſt way of Conveyance, which was accordingly done thus.

Aprill 13th 1692

An acco^t of the difpofall of the two hundred barrells of Powder Sent into this Colony by their Moſt Gracious Ma^s viz^t.

	barr ^l ^s
To his Ex ^{cy} Coll <i>Copley</i> to be returned.....	25
to <i>Yorke</i> Fort.....	6
to <i>James</i> Fort.....	6
to <i>Nanſimond</i> Fort.....	3
to <i>Rapp</i> ^a Fort.....	3
to <i>Henrico</i> County.....	6
to <i>Charles Citty</i> County.....	6
to <i>Surry</i> County.....	6
	to

to <i>James Citty</i> County.....	4
to <i>Iſle of wight</i> County.....	6
to <i>Nanſimond</i> County.....	6
to <i>Norfolk</i> County.....	5
to <i>Princeſs Ann</i> County.....	6
to <i>Eliz^a Citty</i> County.....	6
to <i>Warwick</i> County.....	4
to <i>Yorke</i> County.....	6
to <i>New Kent</i> County.....	6
to <i>King and Queene</i> County.....	8
to <i>Gloceſter</i> County.....	8
to <i>Midd^s</i> County.....	5
to <i>Rapp^a</i> County.....	12
to <i>Lancaſter</i> County.....	6
to <i>Northumberland</i> County.....	6
to <i>Westm^rland</i> County.....	5
to <i>Stafford</i> County.....	8
to <i>Accomack</i> County.....	6
to <i>Northampton</i> County.....	6
to the <i>Rangers</i>	20

200

And that four Sloopes ſhould be Employed to Carry the ſaid Powder unto the ſeverall places herein appointed *viz^t* one Sloop to each River

Ordered that the Clerke of the Gen^l Affembly Carry the following Meſſages to the R^t Worp^l the Houſe of Burgeſſes *viz^t*

By the R^t Hono^{ble} the Liev^t Gov^r and Councill

M^r Speaker

Takeing into Our Serious Conſideration the Peace and Safety of this their Ma^s Moſt Ancient Dominion of *Virg^a*, and the Eaſieſt and moſt likely way to maintaine the ſame with as little Charge as poſſible, and finding that beſides the Continuance of ſome Men in Armes this enſueing yeare, it will be of very great Moment to have a true account of the Condition of Our Neighbouring Plantations eſpecially *New Yorke* and *New England*, and whether there be any danger of their Ma^s Enemies the *French* or *Indians* making any Conſiderable Attacks upon thoſe Governments, that Such Methods may be taken as ſhall be found moſt for their Ma^s Service and Security of the Inhabitants of this Colony, and conceiving the onely way to Effect the ſame will be by writing to thoſe Governments by a Meſſenger to be Sent on purpoſe, that by him wee may not faile to receive Satisfaction as well by his obſervations, as lett^{rs}, doe therefore propoſe that the Houſe of Burgeſſes will take the ſame into their Serious Conſideration, and if they Concur in Judgment with us, Doe Nominate *John Perry* as a fitt perſon to be Employed in the ſaid Service, he being a perſon well acquainted with the way, and will be Content to ſtay at *New Yorke* or *New England* on Eaſie termes (which wee deſire ſome of the Houſe of Burgeſſes may be appointed with ſome of the Councill to agree with him for) untill the fall unleſs for their Ma^s and this Countrys Service it ſhall by thoſe Gov^{ts}ments or one of them be found fitt to ſend him ſooner.

April 13th 1692

By Ord^r of the Liev^t Gov^r & Councill

W Edwards Cl Gen^l Aff^{rs}

By the R^t Hono^{ble} the Liev^t Gov^r

M^r Speaker

Having Omitted the Cauſeing the line to be Runn on the Southſide of *James* River, and from *James* River to *Rapp^a* River as by an Act of the laſt Gen^l Affembly was appointed, doe Signifie my reaſons for the ſame *viz^t* *Rapp^a* River being much higher Seated then *Mattapany* or *Pomunky* Rivers, and if a way ſhould be made as was directed,

it

it muſt be an oblique one, and very ill Convenient to be done, and having great hopes their moſt Sacred Ma^s will be graciouſly pleaſed to give liberty that the Lands in *Pomunky Neck* may be granted the Inhabitants of this Colony, am of Opinion that it is for their Ma^s Service and good of this Country to forbear making the ſaid Way,

And for that I had ſome reaſon to beleive, as I yet have, that their Ma^s will be graciouſly pleaſed to Order the line between this Government and that of *North Carolina* to be Ruⁿ, I Omitted the Cauſeing the lines on the South ſide *James River* to be done leaſt thereby I ſhould ſeeme to Conclude our Clame to any further bounds, And to the End it might be known whereabouts the bounds of their Second Grant would be that if the ſame ſhould be found to take away from this Government any Conſiderable quantity of Lands or Inhabitants, the beſt Methods poſſible may be taken to prevent and hinder the ſame, I have Employed Coll *Thomas Milner*, who hath been at great trouble in findeing out thereof, and hath prepared a Draught which ſhall be Sent you, and for his ſoe doing, it is moſt Juſt and reaſonable that he be well rewarded,

And I Cannot forbear acquainting you (it being for their Ma^s and this Countrys Service) that in my travells thro^u the Country I have obſerved great quantities of Lands have formerly been granted ſeverall people at the heads of the Rivers, on which they have onely built ſome little Hovels not fitt to beare the Names of Houſes, and made noe other Improvement thereon, whereby Many perſons are hindered takeing up the ſame (and forced to leave the Country) who would live thereon, and thereby be ſome Security at leaſt in time of Warr by giving an account of any Skulking Indian Rogues or other Enemies, And as Since I came into this Country findeing the ill conveniency that accrued thereby, I have Indeavoured to prevent the ſame, ſo I deſire you to Conſider (ſince many of thoſe who hold the ſaid great tracts of Land on the Frontiers have not Seated them with four able hands as the Law directs) what will be beſt to be done therein for their Ma^s and this Countrys Service,

And I further acquaint you that wee ſhould have rec^d a very Gracious Anſwere about the *Northern Neck*, had not very great Opoſition been made againſt what was propoſed and their Moſt Sacred Ma^s have been Graciouſly pleaſed to tranſmitt to this Government an account of what hath been Offered againſt it, and I doubt not but myſelfe and their Ma^s Councill ſhall give their Ma^s full Satisfaction therein, And if their Ma^s ſhall be pleaſed to take or procure the ſaid Neck, then it will be Convenient to have a line Runn from *Rappa* to *Potomack River*.

Aprill 13th 1692

Jfr. Nicholſon

Aprill 14th 1692

MR *William Lewis* &c waite upon the R^t Hono^{ble} the Liev^t Gov^r and Councill and preſent the following Anſwer to the Meſſage Sent about *John Perry*.

To the R^t Hono^{ble} Francis Nicholſon Eſq^r their Ma^s Liev^t Gov^r of Virg^a and to the Hono^{ble} Councill of State

May it pleaſe yo^r Hono^{rs}

This Houſe having received [See J. of H. of B., p. 393.]

Aprill 15th 1692

ORDERED that the Clerke of the Gen^l Affembly Carry the following Meſſage to the Houſe of Burgeſſes.

By the R^t Hono^{ble} the Liev^t Gov^r & Council

M^r Speaker

Having taken into Conſideration the extreame Wants and hardſhips many of the Inhabitants of this Colony ſuffered the laſt Winter for want of the uſuall Supply of goods from *England* which was Occaſioned for that the Ships did not Saile at the uſuall time ſoe that the directions and Ord^{rs} for goods could not be Sent, and to the End the ſame for the future may be prevented and all tranſactions of Moment repreſented to their Moſt

Sacred

Sacred Ma^s, *It is Ordered* that five Ships be permitted to Sayle for *England* by the 10th day of *May* next, which is hereby signified to the R^t Worp^l the Houfe of Burgeffes, that the fame being made publick all perfons may A^ct therein as they fhall fee fitt

April 15th 1692

By Order of the R^t Hono^{ble} the Liev^t Gov^r and Councill
W Edwards Cl Gen^l Aff^{by}

By the R^t Hono^{ble} the Liev^t Gov^r and Councill

Mr Speaker

Having received an anfw^r [See J. of H. of B., p. 395.]

Mr *William Lewis* &c waite upon the R^t Hono^{ble} the Liev^t Gov^r & Councill, and acquaint them they are Ord^d by the Houfe of Burgeffes to return their Hono^{rs} the humble thanks of the whole Houfe for the great Care taken in Sending Ships for *England* that the Inhabitants may have a Conveniency to Send for Goods, and for givinge their Houfe a particular account thereof

April 16th 1692

RALPH WORMELEY Esq^{re} added.

Some of the Houfe of Burgeffes waite upon the Councill and present the Claimes made this Affembly for their Concurrence.

April 18th 1692

MAJOR *Charles Scarburgh* &c waite upon the Councill and presents the following Meffage

April 16th 1692

By the Houfe of Burgeffes

The Houfe takeing into Confideration [See J. of H. of B., p. 396.]

The Councill acquainted the Gent^s that brought this Meffage they would Confider thereof and give them their Anfwer thereto

April 19th 1692

JNO CUSTIS Esq^{re} abfent

Ordered that the Clerke of the Gen^l Affembly Carry the following Meffage to the Houfe of Burgeffes.

By the Hono^{ble} their Ma^s Councill

In reading the Allowance to *William King*, where it is faid for himfelfe and Horfe five days with Coll *Tho Milner* when makeing obfervation of the Limitts of the Province of *Carolina* on his Government (according to the latter Grant to the Lords Propriet^{rs}) by Order of the R^t Hono^{ble} the Liev^t Gov^r and Councill finde you are Miftaken, for the faid Coll *Milner* was onely Employed to difcover where the line of the Propriet^{rs} of *North Carolina* their pretended latter Grant would Ruⁿ, but it not being known to us they have any Such Grant, propofe that the Word pretended be put before the word Grant in the 3^d line of the Claime.

As to the Claim of m^r *Henry Royall*, for three Horfes two days Impref^t to Carry the R^t Hono^{ble} the Liev^t Gov^r to Coll *Cole* &c. by you not allowed, have enquired of his Hono^r about it, and he declares he hath alwaies paid for the Horfes he hath made ufe of.

That part of the Claim of *Geo: Anderson* for two days Carrying Lett^{rs} to Coll *Rich: Johnson* from the Hono^{ble} *Ralph Wormeley* Esq^{re}, conceived to be noe Country Charge by you, the faid *Ralph Wormeley* Esq^{re} declaring it was to Carry Ord^{rs} about the Militia, is conceived to be a Country Charge and therefore ought to be allowed

Part of the Claim of *William Byrd* Esq^{re} viz Nine pds, that is fix pds paid m^r *Loyd* Prefident of *Penfylvania* was by the faid *Loyd* paid for the Redemption of An *Appamatuck* Indian, which by this Governm^t he was defired to doe, and to Send him, for
which

which the three pds to the Messenger that brought him was paid, and by Order of the R^t Hon^{ble} the Liev^t Gov^r and Councill was promised should be paid, and the same being done to Secure the Peace of the Country, there is noe question but it is a Country Charge, and therefore ought to be allowed, and the rest of the Claim being for Mony paid to Messengers, which not being proved as the late Act directs, wee propose that, that part of the Claime stand referred for such prooffe till the next Affembly.

The Claim of m^r *James Williams* and *Charles Moreland* for drawing four hundred and four Comissions for the Militia, for which noe allowance is made by you Wee again recomend to yo^r Consideration with the following Reasons viz^t that some time Since they were paid for by the Severall persons who had them, for which reason many Worthy Gent^a then refused them, and there was a Necessity of appointing others, perhaps not soe fittly quallified, which it is presumed gave some dissatisfaction as well to those who before bore Comand, as those Comanded, and the R^t Hon^{ble} the Liev^t Gov^r Willing to Carry all things with that Evenness, that none might have reason to Complaine, Ordered the aforesaid persons who drew the Comissions, not to demand one penny of any p^{son} for any of them, not that ever wee heard, have they, and therefore the same was referred to the R^t Worp^l House of Burgeses, And having Considered the Order of Affembly Sent, must acquaint you that the disposall of the two Shillings p^{son} hhd at that time was in the Gen^l Affembly, but is Since appropriated to their Ma^s for other uses then this, and will not beare the Charge thereof, And for that this Service is for the publick good, Safety and Security of this Colony it is without any doubt a Country Charge, and therefore wee propose that it be paid by the publick.

Wee finde you are Miftaken in the Interpret^rs Salary, for in the last return made to the Claimes in *Surry* County, the last Gen^l Affembly by the Councill, it was proposed that they should have their full allowance then, and that it was conceived (especially in this time of Warr) that there could not be less then three Interpret^rs, but should be willing to lessen the Charge of the Country as much as possible, by findeing Methods that they should be at less trouble and Charge, and therefore proposed that the Interpret^rs that belong to all the Indians on the Southside *James* River for the time to come, should have 4000^l of Tobacco and Caske p^{son} Annum, the Interpret^rs to the Indians on *Yorke* River 2500^l of Tob^o and Caske, and the Interpret^rs on *Rapp* River 2500^l of Tob^o and Caske p^{son} Añum, and you having according to the said return levied the Interpret^rs Salary, and made noe objection against the proposal of three, the R^t Hon^{ble} the Liev^t Gov^r and Councill Concluded you agreed to it, and findeing it for their Ma^s and this Countrys Service that soe many should be Employed, they were by the R^t Hon^{ble} the Liev^t Gov^r Comissionated accordingly, wee therefore propose that instead of the 4000^l allowed to *David Wickliffe* he be allowed 2500^l of tob^o and Caske, and that *William Stone* the other Interpret^r be also allowed 2500^l of Tob^o and Caske, these being the Sums they were acquainted they should have, and noe more

April 19th 1692

By Order of the Hon^{ble} Councill

W Edwards Cl Gen^l Aff^{ly}

By the R^t Hon^{ble} the Liev^t Gov^r & Councill

M^r Speaker

Cap^t *William Norrington* Comand^r of the Ship *Barnadiston* in *York* River, having brought into this Colony two hundred barrells of Powder, and a Considerable quantity of other Stores without pay, and the same Since his Arrivall having Continued on board the said Ship a great While, nor is not yet all taken away, It is proposed that a Suitable reward be made the said *Norrington* for the same, to encourage others to doe the like good Service for the Country.

April 19th 1692

By Ord^r of the R^t Hon^{ble} the Liev^t Gov^r and Councill

W. Edwards Cl Gen^l Aff^{ly}

Ordered that the Clerke of the Gen^l Affembly goe to the House of Burgeses and acquaint them, that the Councill desire some of the Members of their House may be appointed to Confer with them about their Refolve for requesting the R^t Hon^{ble} the Liev^t Gov^r to use his Authority in the encouraging and enjoyneing a full and Speedy putting the Law for Ports into Effectual Practice.

April

April 20th 1692

MAJOR *Charles Scarburgh &c* waite upon the Councill to Confer about the Refolve of their Houfe for defireing the R^t Hono^{ble} the Liev^t Gov^r to ufe his Authority for putting the Law for Ports into Speedy Practice.

M^r Secret. *Cole* Reports from the faid Conference that the Councill Confidering the Law for Ports lay before their Ma^s and that their Ma^s had not yet been pleased to fignifye their pleafure about the fame, Judged it onely Neceffary to Joyn with the Houfe of Burgefles to Requeft the R^t Hono^{ble} the Liev^t Gov^r humbly to Suppliecate their Ma^s to fignifye their pleafure about the faid Law.

April 21th 1692

EDW^D *HILL* Elq^{re} added

L^t Coll *Law: Smith &c.* waite upon the R^t Hono^{ble} the Liev^t Gov^r and presents the following Meffage to him

April 21st 1692

By the Houfe of Burgefles

Ordered that Coll *Law: Smith* [See J. of H. of B., p. 401.]

Ordered that the Clerke of the Gen^l Affembly Carry the following Meffage to the Houfe of Burgefles

By the R^t Hono^{ble} the Liev^t Gov^r

M^r Speaker

In Anfwere to the Meffage wherein you defire an account how long the Rangers appointed at the heads of the Rivers the laft Seffion were in Actuell Service, and when difcontinued, that the Houfe of Burgefles might know how to proceede in raifeing their pay, and that I would Comūicate fuch directions as I fhall think fitt, I hereby acquaint you that I Ordered the Liev^{ts} of the Rangers to Send me particuler accounts under their hands, which they have failed to doe, foe that I Cannot return you that, but to prevent the like illconveniency for the future, I propofe that the pay for the Rangers be Levied till the 15th 9^{br} next, but not to be paid them till they have an Order from myfelfe and their Ma^s Hono^{ble} Councill, and then I fhall be able to give an account what remaines, and will take Care that the remaines of this yeares Salary fhall be known, that it may be brought to account the next Levy.

April 21th 1692

ffr: Nicholson

Major *Charles Scarburgh &c.* waite upon the Councill present the following bills, and defire their Concurrence thereto. *viz^t*

A Bill for Confirmation of Lands

A Bill for Altering the day for *Princes Ann* County Cort.

A Bill for the better defence of the Country

A Bill about Phyfitians and Chyrurgeons acco^{ts}

A Bill for the more Speedy profecution of Slaves Comitting Capitall Crimes.

A Bill for the Deviding *Rapp^s* County

A Bill concerning Writts and returns

April 25th 1692

April 21th 1692

By the Houfe of Burgefles

THE Houfe taking into Confideration M^r *Treasurers* accounts of the four pence ℥ Gallon and Impofition upon Skinns and Furrs, obferved that Severall Collect^{rs} had not given in their acco^{ts} as the Act of Affembly for raifeing the faid Impofition directs, *Whereupon it was Ordered* that the Memb^{rs} before appointed to take m^r *Treasurers* account doe acquaint him that this Houfe doth Expect each particuler Collect^r to give in his account upon Oath, and according to the forme and

and Method prescribed by the Law, if he hath not already done the same, and that he accordingly Informe the Collect^{rs} thereof, and move the Liev^t Gov^r to appoint some person to give the Oath.

Teste Peter Beverley Cl of the House of Burgeses

By the R^t Hono^{ble} the Liev^t Gov^r

Mr *Treasurer* having [See J. of H. of B., pp. 402-3.]

By the Hono^{ble} their Ma^s Council

Mr *Speaker*

Having received seven bills from the R^t Worpⁿ the House of Burgeses to which they desired Our Concurrence, doe herewith return them with the following Answers *viz*^t

A Bill for Altering the day for *Princes Ann* County Court, is agreed to.

A Bill for the better defence of the Country

Wee propose that the following Clause be added *viz*^t And Bee it further Enacted by the Authority afores^d and it is hereby Enacted that for the future if any *English* or Indians shall bring any News, or give any Intelligence to any of their Ma^s Officers Civill or Military that he or they bringing the same be kept in Custody till it may reasonably be known whether what they report be true or not, and if it prove true and be of use or Service to the Government, he or they shall be well rewarded, but if false punished as the Crime shall deserve, and the Court of the County where such Intelligence shall be given together with the Militia Officers are hereby Impowered to Consider what reward any person shall deserve, and Certifye the same to the next Gen^l Assembly for allowance, as also to cause to be Inflicted such punishment as any persons Crime shall deserve.

A Bill about Phisitians and Chirurgeons accounts is agreed to

A Bill for the More Speedy prosecution of Slaves Comitting Capitall Crimes, is agreed to.

A Bill for the Dividing *Rapp*^a County

Wee propose that the following Addition be made And be it further Enacted by the Authority aforesaid and it is hereby Enacted that the Records belonging to the County Court of *Rapp*^a before this Division be kept in *Effex* County, that belonging wholly to their Ma^s, and the other to the Propriet^{rs} of the *Northern Neck*.

A Bill Concerning Writts and returns

Wee propose that the following Clause be added And Bee it further Enacted by the Authority aforesaid and it is hereby Enacted that where one or both of the Burgeses who Serves at the Prorogation or Adjournm^t of an Assembly shall be dead absent or otherwise Incapacitated to meete at the time appointed, the Sheriffs of those Counties cause one or two Burgeses to be Elected as Occasion shall be according to the Direction of the Writt, observeing to make return thereof accordingly.

A Bill for Confirmation of Lands.

Wee propose the following Addition be made *viz*^t

That Imediatly after the Words (as by Law enjoyned) in the thirteenth line be added, this Law nor anything herein Contained not prejudicing the Grants already made of any Lands which were Joynd with former Seated Dividends & were not themselves Seated, but that the present Propriet^{rs} enjoy the same according to the Grants made made them, provided they have or shall within the time limited by the said Grants Comply with the Condition of them.

And after the Word (notwithstanding) at the End of the said Bill be added, provided the said Marshes or Sunken ground be Exactly Surveyed, and their Ma^s Quit rents paid for the same.

These additions being made wee shall readilye give Our Concurrence to the afore-said bills

Aprill 25th 1692

By Ord^r of the Hono^{ble} Council

W. Edwards Cl Gen^l Aff^{by}

Mr

M^r *Harrifon* &c. waite upon the R^t Hono^{ble} the Liev^t Gov^r and prefented the following refolve

April 25th 1692

By the Houfe of Burgeffes

The Houfe according [See J. of H. of B., p. 402.]

After the reading whereof the R^t Hono^{ble} the Liev^t Gov^r appointed the Councill fhould Confer with the Members to be appointed by the R^t Worp^l Houfe of Burgeffes about the Subject matter of what was propofed tomorrow in the afternoone.

April 26th 1692

LT COLL *Law: Smith* &c waite upon y^e Councill in the Councill Chamber, and prefent an Anfwere to the return of the Claimes made the R^t Worp^l Houfe of Burgeffes, a refolve of that Houfe about the difpofall of the Tob^o Levied for the Rangers, and the booke of Claimes with the Additions made by them fince it was returned by the Councill, and the faid Booke being Examined was agreed to, the Houfe of Burgeffes adding twenty five pds *Sterl* to m^r *William Sherwood* for the Councill Chamber, which was Omitted to be Set down in the faid Booke, And the Booke then returned the faid Liev^t Coll *Smith*, the other two papers follow *viz*^t

April 21th 1692

By the Houfe of Burgeffes

The Houfe takeing into Confideration the Anfwere of yo^r Hono^{rs} to the Booke of Claimes, have thereupon agreed and return as followeth

To the firft paragraph about the allowance to *William King*, upon enquiry of the Miftake, and Satisfaction given by m^r *Speaker*, the Houfe have Amended the fame according to yo^r Hono^{rs} propofition.

To the Second about the Claim of m^r *Henry Royall* the Houfe have received Satisfaction from yo^r Hono^{rs}, that the Claim was Satisfied by the Liev^t Gov^r in that his Hono^r hath declared, he hath alwaies paid for the Horfes he hath made ufe of

To the third about the Claime of *Geo: Anderson* for two days Carrying lett^{rs} to Coll *Richard Johnson* from the Hono^{ble} *Ralph Wormeley* Efqr^e which yo^r Hono^{rs} conceive to be a Country Charge for that it was to Carry Ord^{rs} about the Militia. The Houfe are of Opinion the fame is noe Country Charge, and ought not to be allowed, for that Coll *Johnson* is a Militia Officer under the Comand and within the Diftrict of *Ralph Wormeley* Efqr^e, and that if carrying Lett^{rs}, Orders or Inftuctions from Superior to inferior Officers within the fame diftrict fhould be once admitted a publick Charge, the fame would be of evill Confequence and accumulate the Charge Equivalent to maintaining of the Eleven Souldiers at the heads of the Rivers, to which the allowing this Claime would be a leading President.

To the fourth about the Claim of *William Byrd* Efqr^e, the Houfe have agreed as yo^r Hono^{rs} propofe, *viz*^t to allow fix pds paid m^r *Loyd* President of *Penfylvania* for the Redemption of an *Appamatuck* Indian, and three pds to the Meflenger for bringing him. Conceiveing it to be done by the Liev^t Gov^r for Securing the Peace of the Country, and that the reft of the Claime Stand referred to the next Affembly for proof according to Law.

To the 5th the Houfe takeing into Confideration that the Liev^t Gov^r hath frequently laid his Comands upon m^r *James Williams* and *Charles Moreland* as his Servants and Attend^{ts} to tranfcribe, doe, and performe Severall things for him, which have been employed to the Service of the Country, and that the faid perfons have all along approved themfelves very Active in writing, Attend^{ts} and Severall other Services, the Houfe have thought fitt to gratifye them with the Sume of Twenty pds *Sterli* for the fame

To the 6th about the allowance to the Indian Interpret^{rs} the Houfe have agreed to yo^r Hono^{rs} propofall and have allowed accordingly to *David Wickliffe* 2500

William Stone 2500

Tho: Blunt 4000

The

The House having also received from the R^t Hon^{ble} the Liev^t Gov^r & yo^r Hono^{rs} a proposition for a Suitable reward to be made Cap^t *Norrington* Com^{and}r of the *Barnadiston*, who brought into this Countrey 200: barrells of Powder, and a Considerable quantity of other Stores, which after his Arrivall Continued a great while on board, and some yet are unremoved, And being willing to encourage all persons to undertake the Service of this Country, as Occasion may require, have thought fitt and accordingly presented the said Cap^t *William Norrington* with the Sum of Thirty pds *Sterli*, as a Gratuity for his trouble and Care in bringing in the said Powder and Stores, and keeping the same on board till Convenience Offers of fetching it away.

Teste Peter Beverley Clerke of the house of Burgeffes

April 26th 1692

By the House of Burgeffes

Upon Reading the Report [See J. of H. of B., p. 403.]

Some of the House of Burgeffes waites upon the Councill, and presents the following Meffage

April 26th 1692

By the House of Burgeffes

The House of Burgeffes being Deepely [See J. of H. of B., p. 404.]

And the Hon^{ble} Councill having Caused their Unanimous Concurrence to be written
viz^t

By their Ma^s Councill

The House of Burgeffes having requested the Councill to Joyn with them in desiring his Hono^r their Ma^s Liev^t Gov^r to accept of the sume of two hundred pds in M^r *Treasurers* hands as the same shall arise out of the Impost upon Liq^{rs}.

The Councill being very Sencible of the great deserts of the R^t Hon^{ble} their Ma^s Liev^t Gov^r in his Constant and Earnest Endeavours to promote Religion and Learning, their Ma^s Service, the Peace Welfare and Security of this Country, and also his indefatigable paines and unwearied diligence in his personall Visiting every part of this Dominion, and Contriveing the best Expedients to preserve the same, Doe Unanimously Joyne with the House of Burgeffes in desiring his Hono^r to accept of the said sume of two hundred pounds *Sterli*

William Cole Sec^r.

C^r Wormeley—

Ralph Wormeley

Edw^d Hill—

William Byrd

Henry Whiteing

John Lear—

E. Jennings

April 26th 1692

And after the Subscribing their Names together with the Burgeffes (who desired their Concurrence) delivered it to his Hono^r, who answered that he kindly received the good Intention of the Councill and House of Burgeffes, but could not manifest the same by accepting their present without the leave of their Ma^s, it being Contrary to his Instructions soe to doe.

William Cole Esq^{re} Sec^r: reports from the Conference with the Members of the House of Burgeffes thereto appointed the Subject Matter agreed on to be Writt to *William Blathwaite* Esq^{re}, *Jeffrey Jeffreys* Esq^{re} and m^r *James Blair* Clk, all which was approved

April 27th 1692

LT COLL^O *Law*: *Smith* waites upon the Councill and presents the booke of Claimes, which being Examined, and agreed to, was soe Attested by the Clerke of the Gen^l Affembly and by the Councill returned the said *Smith*.

M^r *Francis Mason* &c waites upon the Councill and desires their Concurrence to the following bills may be endorft on them by the Clerke of the Gen^l Affembly, the House of Burgeffes having agreed to the Amendments propofed by the Councill,

And the same was accordingly done and the said Bills returned the said *Mason viz^t*

A

A Bill for Altering the day for *Princes Ann* County Court.

A Bill for the better defence of the Country

A Bill about Phisitians and Chirurgeons accounts

A Bill for the more Speedy profecution of Slaves Comitting Capitall Crimes.

A Bill for dividing *Rapp*^a County.

A Bill for Confirmation of Lands.

Some of the House of Burgeffes bring the following Refolve

Aprill 27th 1692

By the House of Burgeffes

Resolved that the Summe of two hundred pds *Sterli* be put into the hands of m^r *Gawen Corbyn* Marchant of *London*, to be paid to *William Blathwaite* Esq^{re} as he shall have occasion to dispose of the same for the use of this Country.

Ordered that this Refolve be Carried to the Hono^{ble} Councill for their Concurrence.

Teste Peter Beverley Clerk of the House of Burgeffes

Ordered that the Clerke of the Gen^l Assembly endorse the resolve of the R^t Worp^l the House of Burgeffes for putting two hundred pounds *Sterli* into the hands of m^r *Gawen Corbyn* Marchant &c Assented to, and return it to the House of Burgeffes

Also *Ordered* that he desire the R^t Worp^l the House of Burgeffes to Joyn with the Councill in humbly petitioning their Ma^s to give leave to the R^t Hono^{ble} the Liev^t Gov^r to accept of the summe of two hundred pounds *Sterli*

Some of the House of Burgeffes waite upon the Councill, and present a Bill for raising a publick Levy, and desire the Councills Concurrence thereto.

Ordered that the Clerke of the Gen^l Assembly endorse the said Bill assented to by the Councill, and return it to the R^t Worp^l the House of Burgeffes.

Aprill 28th 1692

MAJOR *Charles Scarburgh* &c waite upon the Councill and present a Refolve of the R^t Worp^l the House of Burgeffes that one hundred pounds *Sterli* be put into the hands of m^r *Gawen Corbyn* Marchant of *London* to be paid to m^r *James Blair* as he shall have Occasion to dispose of the same for the manageing the affair of the Free School and Colledge Comitted to him the last Sesssion, and the same being assented to, was endorsed by the Clerke of the Gen^l Assembly and returned the said *Scarburgh*.

The said *Scarburgh* then presented an Address and petition to their Most Sacred Ma^s a Letter to the R^t Reverend Father in God the Bishop of *Salisbury*, a letter and Memoriall to the Hono^{ble} *William Blathwaite* Esq^{re} and a letter to the Reverend m^r *James Blair*.

And then was delivered the said *Scarburgh* a Letter to the Most Reverend Father in God the Arch Bishop of *Canterbury*, one to the R^t Reverend Father in God the Bishop of *London*, one to the R^t Reverend Father in God the Bishop of *Worcester*, and one to the Hono^{ble} *Jeffrey Jeffreys* Esq^{re}, and tomorrow morning Seven a Clock is appointed to Conferr in the Councill Chamber with Such Members as shall be appointed by the R^t Worp^l the House of Burgeffes about Such Alterations as shall be proposed either by the Councill or House of Burgeffes.

Aprill 29th 1692

MR Secretary *Cole* reports from the Conference with the Members of the House of Burgeffes appointed thereto, the Severall Alterations proposed and agreed to be made in the Address and petition to their Most Sacred Ma^s and the Severall Letters &c. and the same are approved.

Aprill

April 30th 1692

ORDERED that the Clerke of the Gen^l Affembly goe to the R^t Worp^l the Houfe of Burgefles, and acquaint them that the R^t Hono^{ble} the Liev^t Gov^r Comands their Attendance in the Gen^l Court houle forthwith, where they being come, m^r Speaker made the following Speech *viz*^t

Yo^r Honor^s

perfeverance in doing great and good things, and the Example you are alwaies giving to incite all Virtuous Inclinations to the practice of the fame Virtues you own, demonftrates Clearely to us the representatives of this once defpairing Colony, yo^r Honor^s firm Refolution to accomplifh what hath been (tho with little Succefs hitherto) fo ftrenuoufly endeavoured to make this Countrey attaine to fome degree of happinefs.

Which now upon thefe Coniderations wee have reason to beleive is by the bleffing of Almighty God approaching, and then there will be caufe to celebrate the yeares 91 & 92 for the frft yeares of Virg^{as} profpect of approaching profperity.

And fuch refolutions of yo^r Honor^s grounded on foe good and noble principles wee are Sure will never ceafe their Operations till the caufe fhall ceafe, which we hope can never be till we fhall ceafe to be (which wee never will by the Grace of Almighty God) Moft Loyall, Moft Zealous and Moft humble Subjects and Servants of the Crown, and of Our Moft Gracious King and Queene.

May it please yo^r Honor

Their Ma^s Hono^{ble} Councill with the Burgefles as the Juncture of affaires and time will permitt, and as they have (with Submiffion) conceived for the good of the Countrey agreed upon fome Laws, to which they pray yo^r Affent and Signature, and they are Entituled

- 1: An Act for the better defence of the Country
- 2: An Act for Confirmation of Lands
- 3: An Act for the more Speedy profecution of Slaves Comitting Capitall Crimes
- 4: An Act about Phificians & Chirurgeons acco^{ts}
- 5: An Act for the deviding Rapp^a County
- 6: An Act for altering the day for Princefs Ann County Court
- 7: An Act for Raifeing a Publique Levy.

And the faid Severall Laws being publifhed and figned by the R^t Hono^{ble} the Liev^t Gov^r and Speaker, The Addrefs to their Moft Gracious Ma^s Signed by the R^t Hono^{ble} the Liev^t Gov^r, William Cole Secret. and Thomas Milner Speaker, the petition to their Moft Sacred Ma^s Signed by William Cole Secretary and Thomas Milner Speaker, and all the Letters and memoriall Signed by the R^t Hon^{ble} the Liev^t Gov^r William Cole Secret. and Thomas Milner Speaker.

The R^t Hono^{ble} the Liev^t Gov^r Exprefsed himfelfe *viz*^t

M^r Speaker and Gent^{rs}

I return you thanks for the great care you have taken to Secure this their Ma^s Dominion, and I doubt not but you will in yo^r Severall Counties be very vigilant and Carefull to preferve the Country in peace,

It hath been all along the Endeavours of my felfe and the Councill to put the Country to as little Charge as poffible, and it ftill fhall be Our Methods.

I hope there will be noe Occafion for yo^r Speedy meeting unlefs I receive Ord^{rs} out of England that require it.

And therefore I prorogue this Affembly to the 20th day of April 1693 unlefs my felfe and the Councill fhall think fitt to call you Sooner.

Cop^a Vera

Teft W. Edwards Cl Gen^l Aff^{by}

ATT A

GEN^{LL}. ASSEMBLY

begun at *James Citty* the Second day of *March Anno Dom:*
1692 and in the fifth yeare of the Reign of our Sovereign
Lord and Lady *William* and *Mary* by the Grace of God of
England Scotland France Ireland and *Virginia* King and
Queen Defenders of the Faith &c.

Att a Gen^l Affembly begun at *James Citty* the Second day of
March Anno Dom: 1692 and in the fifth yeare of the Reign
of our Sovereign Lord and Lady *William* and *Mary* by the
Grace of God of *England Scotland France Ireland* and *Virginia*
King and Queen Defenders of the Faith &c.

March the 2nd, 1692.]

Present

HIS Ex^{cy} the Gov^r, *Ralph Wormeley* Se^c., *William Byrd*, *John Lear*, *Edward Hill*,
Henry Whiteing, *Edmund Jenings*, *Henry Hartwell* Esq^{rs}

Ordered that *William Edwards* Clerke of the Gen^l Affembly goe to the
houfe of Burgefles and acquaint them that his Ex^{cy} Comands their Immediate
attendance in the Gen^l Courthouse, where they being come his Ex^{cy} thus Expreft
himselfe.

Gent.

Their Ma^s haveing been pleased to Comand my service in this Government

I hope from Generall Affemblies all that may be, and your present Consideration
of all proper and Necessary to the welfare defence and Honour of this their Ma^s fo
Ancient and Considerable a Colony, which will be Effectually to do our Duties to God,
their Ma^s and Countrey.

Their Ma^s are pleased out of their great care for the Welfare of their Subjects in this
Colony to continue and grant them a Free trade with the Indians, preferring the par-
ticular benefit of their people before any other advantage that might accrew unto them
by restraining said trade of which doubt not a due fence and fuitable returns

Not to delay you from the good purposes in yo^r Writts for this meeting, to which
refer you

You Gent. of the houfe of Burgefles are now to return to your houfe, and make
choice of a Speaker.

I have appointed M^r *Peter Beverley* to be yo^r Clerke

And I hope all heartily joyneing in Prayers and Supplications to Almighty God for
the Continuance of his blessings and Assistance on this Occasion, which I have by Advice
of the Councill appointed to be observed a *Sunday* next in this place, and a *Sunday* the
19th Instant in all other places of the Government

Major *Samuel Swann* &c waite upon his Ex^{cy} in the Councill Chamber, and acquaint
him that the houfe of Burgefles had Elected a Speaker.

His Ex^{cy} then Comanded that the whole houfe of Burgefles should waite upon him
and the Councill in the Gen^l Co^rt houfe at three of the Clock in the afternoon.

Ordered that the Clerke of the Gen^l Affembly goe to the houfe of Burgefles, and
acquaint them his Ex^{cy} Comands their Attendance in the Gen^l Court houfe

Coll *Thomas Milner* with the houfe of Burgefles waite upon his Ex^{cy} in the Gen^l
Court houfe, and acquaints his Ex^{cy} that the houfe of Burgefles had Elected him for their
Speaker, who being approved by his Ex^{cy} prayed they might injoy the Ancient privi-
ledges of that houfe to which his Ex^{cy} replied

M^r Speaker all the privileges that have & ought to be granted are confirmed to you,
he then prayed that those failers he should be guilty of in the management of the weighty
Affaires of this Affembly should not be taken notice of, to which his Ex^{cy} said, he did
not question his due performance of what should be Necessary.

Ordered

Ordered that the Clerke of the Gen^l Affembly prepare a Comiffion for his Ex^{cy} Signeing, appointing and Impowering *William Byrd, C^r Wormeley & Edward Hill Esq^{rs}* or any two of them, to Adminifter to the Members of the houle of Burgefles the Oaths prefcribed by Law to be taken inftead of the Oaths of Allegiance and Supremacy, and the Teft, alfo the Oath of a Burgef for this prefent Affembly, as alfo to Adminifter the Oaths appointed by Act of Parliament to be taken Inftead of the Oaths of Allegiance and Supremacy, and the Teft, and the Oath of the Clerke of the houle of Burgefles to Cap^t *Peter Beverley*.

There being a Gen^l Affembly now met, his Ex^{cy} by Advice in Councill is pleased to Order the Sheriffe of *James Citty* County to give his ufual Attendance on the houle of Burgefles.

March the 3^d 1692

Preſent

HIS Ex^{cy} the Gov^r, *Ralph Wormeley Se^c*, *William Byrd, John Lear, C^r Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell Esq^{rs}*

Cap^t *Henry Duke* &c waite upon his Ex^{cy} in the Councill Chamber, and pray that ſome perſons may be Comiffionated to ſwear the Members of the houle of Burgefles. Referred to *William Byrd C^r Wormeley and Edward Hill Esq^{rs}* or any two of them as authorized thereto.

The Comiffion for Adminiftring the Oaths to the Burgefles

By his Ex^{cy}

S^r *Edmund Andros* Kn^t their Ma^s Liev^t and Gov^r Gen^l of *Virginia*, purſuant to the Authority to me given by their Ma^s Letters Patents under the Great Seale of *England*, I doe hereby Nominate Order and appoint you *William Byrd Esq^r C^r Wormeley Esq^r and Edward Hill Esq^r* three of their Ma^s Councill of State of this Colony, or any two of you to Adminifter the Oaths prefcribed by Act of Parliament to be taken inftead of the Oath of Allegiance and Supremacy, and the Teft, alfo the Oath of a Burgef this prefent Affembly to all the Members thereof, And I do hereby further Order and appoint you or any two of you as aforeſaid to Adminifter the Oaths appointed by Act of Parliament to be taken inftead of the Oaths of Allegiance and Supremacy, and the Teft, alfo the Oath of the Clerke of the houle of Burgefles to Cap^t *Peter Beverley*, Given under my hand and the Seale of the Colony this third day of *March Anno Domⁱ: 1692/3*

E. Andros

A Comiffion for the ſwearing the houle of Burgefles & their Clk

Ralph Wormeley Se^c.

M^r *William Leigh* &c. waite upon his Ex^{cy} in the Councill Chamber and acquaint him the houle of Burgefles underſtood by the Sheriffe he was Comanded to have an Officer to Attend them, but it having been the practice of the houle to chooſe a Meſſenger, they had made a choice of M^r *W^m Drumond*, but takeing it as a favour from his Ex^{cy}, the houle of Burgefles returned his Ex^{cy} their humble thanks for the ſame.

to which his Ex^{cy} by the Advice of the Councill ſaid, he did not well underſtand the Meſſage, but if the houle of Burgefles thought fitt to ſend it in writeing it ſhould be Conſidered.

M^r *William Leigh* &c waite upon his Ex^{cy} in the Councill Chamber, and preſent the following Meſſage.

By the houle of Burgefles

May it pleaſe yo^r Ex^{cy}

The houle of Burgefles [See J. of H. of B., 1659/60-93, p. 414.]

M^r *Dan^l Parke* &c. waite upon his Ex^{cy} in the Councill Chamber and acquaint him they are Ordered by the houle of Burgefles to pray his Ex^{cy} that a New Writt may iſſue for the Election of a Burgef in *Henrico* County to ſerve in the place of m^r *John Pleaſants*, who by refuſeing to take the Oaths appointed, is incapable of Serveing.

and accordingly a Writt iſſued

March

March the 6th 1692

Present

HIS Ex^{cy} the Gov^r, *Ralph Wormeley Se^c, William Byrd, John Lear, C^r Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell Esq^{rs}*
Major *Samuel Swann* &c waite upon his Ex^{cy} in the Councill Chamber,
and present the following Addres

May it please yo^r Ex^{cy}

Yo^r Ex^{cy} haveing been pleafed [See J. of H. of B., p. 416.]

March the 7th 1692

Present

HIS Ex^{cy} the Gov^r, *Ralph Wormeley Se^c, William Byrd, Jn^o Lear, C^r Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell Esq^{rs}*
Cap^t *Miles Cary* &c waite upon his Ex^{cy} & acquaint him they are Ordered
by the house of Burgeffes to pray his Ex^{cy} that a New Writt may iffue for the
Election of a Burgefs for *King & Queen* County to ferve in the place of Cap^t *Jn^o Lane*,
who it was refolved by the house was unduely Elected.

And a Writt accordingly iffued

Ordered that the Clerke of the Gen^l Affembly carry the following anfwer to the
Addres of the house of Burgeffes about choofeing their Clerke, to the faid house

By his Ex^{cy}

M^r Speaker & Gent of the house of Burgeffes

In Anfwere to yo^r Addres [See J. of H. of B., pp. 417-18.]

March the 8th 1692

Present

HIS Ex^{cy} the Gov^r, *Ralph Wormeley Sec., William Byrd, John Lear, C^r Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell Esq^{rs}*
Cap^t *Thomas Ballard* &c. waite upon his Ex^{cy} in the Councill Chamber,
and present the following Addres

May it please yo^r Ex^{cy}

Yo^r Ex^{cy} haveing upon [See J. of H. of B., pp. 418-9.]

Ordered that the Clerke of the Gen^l Affembly carry the following Anfwer to the
house of Burgeffes.

By his Ex^{cy}

M^r Speaker and Gent. of the house of Burgeffes

In yo^r reply [See J. of H. of B., p. 419.]

March the 9th 1692

Present

HIS Ex^{cy} the Gov^r, *Ralph Wormeley Se^c, William Byrd, John Lear, C^r Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell Esq^{rs}*
M^r *Arthur Spicer* &c waite upon his Ex^{cy} and acquaint him, they are
Ordered by the house of Burgeffes to pray his Ex^{cy} that thofe Gent. his Ex^{cy}
had appointed might Swear the Clerke his Ex^{cy} had Corniffionated for their house, which
his Ex^{cy} gave direction in accordingly

March

March the 11th 1692

Present

HIS Ex^{cy} the Gov^r, *Ralph Wormeley Se^c., William Byrd, John Lear, C^r Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell Esq^{rs}*
Major *Thomas Youel &c* waite upon his Ex^{cy} in the Councill Chamber and acquaint him, they are Comanded by the house of Burgeffes humbly to request his Ex^{cy} to favour them with a Copy of his Speech.

Ordered that the Clerke of the Gen^l Affembly carry it to the house of Burgeffes saying these words at the delivery thereof.

M^r Speaker

His Ex^{cy} did not expect you would have asked a Copy of his Speech, but hath desired m^r *Secretary* to fend it and I am Comanded to deliver it.

Ordered that the Clerke of the Gen^l Affembly endorfe the Petition of *Peter Heyman* Gent. relateing to a Post Office to be Erected in this Government; Referred to the house of Burgeffes with due regard to their Ma^s Comand, and deliver it to the said house of Burgeffes with a Copy of her Ma^s Letter to his Ex^{cy} in that concerne.

March the 14th 1692

Present

HIS Ex^{cy} the Gov^r, *Ralph Wormeley Se^c., William Byrd, John Lear, C^r Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell Esq^{rs}*
Coll^o *Lemuell Mafon &c.* waite upon his Ex^{cy} and present the following Addrefs

May it please yo^r Ex^{cy}

The house of Burgeffes haveing [See J. of H. of B., pp. 423-4.]

March the 16th 1692

Present

HIS Ex^{cy} the Gov^r, *Ralph Wormeley Se^c., William Byrd, John Lear, C^r Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell Esq^{rs}*
M^r *Dan^l Parke &c* waite upon his Ex^{cy} in the Councill Chamber, and acquaint him they are Comanded by the house of Burgeffes to signifye to his Ex^{cy} that they had prepared an Addrefs about the Revifall of the Laws to be presented by the whole house, and to pray his Ex^{cy} to appoint a time and place for the receiveing thereof.

To which his Ex^{cy} replied the Councill were now with him in the Councill Chamber, and appointed their present comeing to him there.

M^r *Speaker* and the house of Burgeffes waite upon his Ex^{cy} in the Councill Chamber, and M^r *Speaker* Said The house of Burgeffes haveing under their Consideration the Revifall of the Laws of this Countrey had resolved upon an Addrefs to his Ex^{cy}, which as he was Comanded he now on their behalfs humbly presented, to which his Ex^{cy} replied, he was very glad they were upon foe good a Worke, and that he had Intimated it to the Councill as acceptable to their Ma^s, and the Councill had the same under Consideration and should be ready to do all proper for the performance thereof

The Addrefs follows

To his Ex^{cy} S^r Edmund Andros Kn^t their Ma^s Liev^t and Gov^r Gen^l of Virg^a

May it please yo^r Ex^{cy}

The house of Burgeffes [See J. of H. of B., p. 425.]

Richard Lee Esq^r added

Ordered

Ordered that the Clerke of the Gen^l Affembly carry the following Answer to the Address about the Instruction for the Free trade with the Indians to the house of Burgeffes As also the answer to the above Address

By his Ex^{cy}

M^r Speaker and Gent of the house of Burgeffes

Haveing received yo^r Address [See J. of H. of B., pp. 427-8.]

By his Ex^{cy}

M^r Speaker and Gent of the house of Burgeffes

On reading yo^r Address [See also p. 428.]

March the 17th 1692

Present

HIS Ex^{cy} the Gov^r, *Ralph Wormeley Se^c, William Byrd, Jⁿ Lear, C^r Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell, Richard Lee Esq^{rs}*

Richard Lee, William Byrd, John Lear and Edward Hill Esq^{rs} are by the Councill nominated and appointed to meete in m^r Geo: Marables brickhoufe at three of the Clock this afternoon and Confer with such Members as shall be appointed by the house of Burgeffes about the most proper methods for the Revifall of the Laws.

Cap^t *William Kendall &c* waite upon his Ex^{cy} in the Councill Chamber and present the following Meffage

May it please yo^r Ex^{cy}

The house of Burgeffes haveing [See J. of H. of B., p. 428.]

March the 20th 1692

Present

HIS Ex^{cy} the Gov^r, *Ralph Wormeley Se^c, William Byrd, John Lear, C^r Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell, Richard Lee Esq^{rs}*

Cap^t *Miles Cary &c.* waite upon his Ex^{cy} and acquaint him they are Ordered by the house of Burgeffes to pray his Ex^{cy} that a New Writt may issue for Election of a Burgess for *King & Queen* County to serve in the place of Cap^t *Jⁿ Lane*, the Writt formerly Sent being returned by the late Sub-Sheriffe of that County not executed, the Sherriffe dyeing before the day appointed for the Election

March the 21th 1692

Present

HIS Ex^{cy} the Gov^r, *Ralph Wormeley Se^c, William Byrd, John Lear, C^r Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell, Richard Lee Esq^{rs}*

Cap^t *Miles Cary &c* waite upon his Ex^{cy} and the Councill and acquaint them with two Meffages from the house of Burgeffes, one relating to the Rangers raised the last yeare, the other to twenty five barrells of Powder lent the Gov^r of *Maryland*.

Cap^t *William Randolph &c* waite upon his Ex^{cy} and the Councill and acquaint them with a Meffage from the house of Burgeffes relating to a Conference with some of the Councill.

which Meffages not being well understood

It

It is Ordered that the Clerke of the Gen^l Assembly goe to the house of Burgeffes and acquaint them therewith in the following Words

Mr Speaker

I am Comanded by his Ex^{cy} and Councill to acquaint you that the Verball Messages from yo^r house this day delivered by Cap^t *Miles Cary* and Cap^t *William Randolph* not being well understood, they desire they may be sent in writeing

The House of Burgeffes haveing desired a New Writt may issue for the Election of a Burgefs for *King* and *Queen* County, and a Writt haveing already been Sent, m^r Sec^{ry} is desired to send to his Office for it, that the return thereon made may be seen and Considered.

Cap^t *Miles Cary* &c waite upon his Ex^{cy} and the Councill and present the following Message.

May it please yo^r Ex^{cy}

The Message sent by the Comittee of Publique Claimes and delivered this morning to yo^r Ex^{cy} and the Councill by Cap^t *Cary*, was to acquaint yo^r Ex^{cy} with these two following resolves

March 20th 1692/3

Resolved that the Comittee for Publique Claimes make humble Application to his Ex^{cy} and the Councill for an account how long the Rangers at the heads of the Rivers have been in Actuall Service, or discontinued, and how much of the Salary raifed for them the last Sesson remains now *in deposito* unmade use of.

Resolved that the said Comittee make humble Application to his Ex^{cy} and the Councill to take care that the twenty five barrells of Powder lent the Gov^r of *Maryland* last Assembly, may be redelivered at such time and place within this Government, as was upon the Loan thereof set and required.

By Order of the Burgeffes

Tho Milner Speaker

Cap^t *William Randolph* &c waite upon his Ex^{cy} and the Councill and present the following Message.

May it please yo^r Ex^{cy}

The Message Sent by severall Members from this house and delivered by Cap^t *William Randolph* to yo^r Ex^{cy} and the Councill was to acquaint yo^r Ex^{cy} with this following Order

March 20th 1692/3

Ordered that Cap^t *Randolph*, Cap^t *Field*, Cap^t *Scarlet* Cap^t *Owsley*, m^r *Sandford*, Cap^t *Lear*, Cap^t *Ballard* and Cap^t *Clements* desire a Conference with the hono^{ble} Councill to Consult of the best waies and meanes for the prevention of divers great abuses Complaind of from *Stafford* County to be Committed by *Maryland* and other Strange Indians, according to the Resolve of the house on *thursday* last, and that they be impow-
ered to manage the Conference accordingly.

March the 21th 1692/3

By Order of the Burgeffes

Tho. Milner Speaker

March the 22th 1692

Present

HIS Ex^{cy} the Gov^r, *Ralph Wormeley* Sec^r, *William Byrd*, *John Lear*, *C^r Wormeley*, *Edward Hill*, *Henry Whiteing*, *Edmund Jenings*, *Henry Hartwell*, *Richard Lee* Esq^{rs}

M^r *Secretary* haveing produced the Writt sent for the Election of A Burgefs for *King* and *Queen* County, on which being returned *viz^t*

King and *Queen* County

March 16th 1692/3

In Obedience to this within Writt I did not onely make publication, but appointed a day for the Election of A Burgefs, and being Credibly informed of the high Sheriffs Death, thought it not fitt to proceede to the Election

⚔ *Nath: West* Sub Sheriffe

A New Writt issued

C^r Wormeley, Henry Whiteing Edmund Jenings and Henry Hartwell Esq^{rs} or any three of them are appointed at five of the Clock this afternoon in m^r George Marables Brickhouse to meete and conferr with the Members of the house of Burgeffes thereto appointed of the best waies and meanes for the prevention of the abuses Complained of from *Stafford* County to be Comitted by *Maryland* and other Strange Indians.

Upon Application of the house of Burgeffes for an account how long the Rangers at the heads of the Rivers have been in Actuell Service or discontinued, and how much of the Salary raifed for them the last Sesssion remains now *in deposito*, unmade use of,

Referred to m^r Audit^r Byrd to examine the same and make report thereof to this Board

March the 23^d 1692

Present

HIS Ex^{cy} the Gov^r, Ralph Wormeley Se^c, William Byrd, John Lear, C^r Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell, Richard Lee Esq^{rs}

M^r Dan^l Parke &c waite upon the Councill and acquaint them the house of Burgeffes had passed Six bills and Commanded them to desire their Concurrence thereto, which bills he then delivered, and they are *viz*^t

A Bill for Continueing the *Act for the better defence of the Countrey*

A Bill for Suspending the Execution of the *Act for Ports &c*.

A Bill concerneing Indians hoggs

A Bill for giving Incouragement to Erect Fulling Mills

A Bill for Seating certaine Lands on the South side *James River* and *Pomunky Neck*

A Bill for Advancement of Coines

Richard Lee Esq^r Reports from the Conference about the Reviseing and digesting the Laws that the propofalls given by the house of Burgeffes to their Members were that twelve of the house of Burgeffes or any five of them, to whom should be Comitted the Care and Charge thereof, should meete at *James Citty* the first day of 7^{br} next, and Sit in the Affsembly Roome in Order to their proceeding therein, and that they may have power to fend for Papers Records, and for such person or persons for their Affistance as they shall think fitt and that they may be thereunto impowered by an Act of Affsembly.

of which propofalls they had taken time to Consider and therefore desired direction therein.

On Consideration whereof it is the Opinion of the Councill that this present Sitting of the Affsembly the time at the first propofed by the Councill is the best and fittest time for the Revifall of the Laws.

March the 24th 1692

Present

HIS Ex^{cy} the Gov^r, Ralph Wormeley Se^c, William Byrd, John Lear, C^r Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell, Richard Lee Esq^{rs}

M^r Audit^r Byrd haveing Stated the acco^t of the time the Rangers at the heads of the Rivers were in Actuell Service, when discontinued, and what remains *in deposito* of the Salary raifed the last Sesssion of Affsembly presented the same

Ordered that the Clerke of the Gen^l Affsembly in answer to the desire of the house of Burgeffes about the Rangers Salary, deliver them the acco^t Stated by m^r Audit^r Byrd

The following Answer to the Message from the house of Burgeffes about the Powder lent the Gov^r of *Maryland* being prepared by the Advice of the Councill

Ordered

Ordered that the Clerke of the Gen^l Affembly carry the same to the house of Burgeffes *viz*^t

By his Ex^{cy}

M^r Speaker and Gent. of the house of Burgeffes

As to yo^r Address [See J. of H. of B., p. 438.]

Richard Lee Esq^r &c Reports from the Conference about the Revifall of the Laws, that they, as they had done at their first meeting, had proposed that this present Sitting of the Affembly is the best and fittest time for the doing thereof

to which the Members of the house of Burgeffes appointed for this Conference replied they would acquaint the house therewith.

C^r Wormeley Esq^r &c reporting from the Conference about the Injuries Complained of by the Inhabitants of *Stafford* County, that Severall Injuries were Complained of in Generall termes to be done in the aforefaid County by *Maryland* and other Strange Indians.

It is Ordered that at their next meeting they desire to know who were the persons that had received Injuries which by Law, and Officers Civil and Military could not be remedied there, the time and place of the Committing them, and who they were that did them.

A Bill for Continuing the *Act for the better defence of the Countrey* was read, and Ordered to be read a Second time tomorrow.

A Bill for Suspending the Execution of the *Act for Ports &c* was read, and Ordered to be read a Second time tomorrow.

A Bill concerning Indian Hogs was read and Ordered to be read a Second time.

A Bill for giving Incouragement to Erect Fulling Mills was read, and Ordered to be read a Second time.

A Bill for Seating certaine Lands on the Southside *James* River and *Pomunky* Neck was read, and Ordered to be read a Second time.

A Bill for Advancement of Coines was read, and Ordered to be read a Second time.

M^r Michael Sherman &c. waite upon the Councill and acquaint them, they are Ordered by the house of Burgeffes to present the following Bills to them, and desire their Concurrence thereto, *viz*^t

A Bill ascertaining the Price of Coasting Cocquetts, and requiring Officers Attendance

A Bill for Altering the first day of the Gen^l Court in some Cafes, and also of County Courts

A Bill for the Incourageing the Erecting of a Post Office in this Countrey.

March the 25th 1693

Present

HIS Ex^{cy} the Gov^r, *Ralph Wormeley Se^c.*, *William Byrd*, *John Lear*, *C^r Wormeley*, *Edward Hill*, *Henry Whiteing*, *Edmund Jenings*, *Henry Hartwell*, *Richard Lee Esq^r*

A Bill for continuing the *Act for the better defence of the Countrey* was read a Second time, and the Attorney Gen^l being Sent for, and heard thereupon, is Referred to be further Considered of on *Munday* morning, when the Attorney Gen^l is to give his further Attendance.

A Bill for Suspending the Execution of the *Act for Ports &c* was read a Second time, and the further Consideration thereof referred till *Munday*.

M^r Dan^l Parke &c waite upon his Ex^{cy}, as also upon his Ex^{cy} and the Councill and present the following Messages *viz*^t

May it please yo^r Ex^{cy}

Their Most Sacred Ma^s [See J. of H. of B., pp. 439-40.]

May

May it please yo^r Ex^{ty} and yo^r Hono^{rs}

The Revifall [See J. of H. of B., p. 439.]

And the said Address about a time for the Revifall of the Laws, referred to be considered accordingly.

March the 27th 1693

Present

HIS Ex^{ty} the Gov^r, *William Byrd, C^r Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell Esq^{rs}*

The Bill continuering the *Act for the better defence of the Countrey*, and

The Bill for Suspending the Execution of the *Act for Ports &c* referred to be Considered of, some of the Councill absent, and the Attorney Gen^l not Attending, referred till tomorrow when the Attorney Gen^l to give his Attendance.

A Bill ascertaining the price of Coasting Cocquetts and requiring Officers Attendance was read, and Ordered a Second reading.

A Bill for Altering the first day of the Gen^l Court in some cases, and also of County Courts was read, and Ordered a Second reading.

A Bill for the Incourageing the Erecting of a Post-Office in this Countrey was read, and Ordered a Second reading.

The *Act for Advancement of Manufactures of the growth of this Countrey, and for the better and more Speedy payment of debts and Levies* being proposed to be Considered, is referred to be taken into Consideration tomorrow, when the Attorney Gen^l is to Attend

A Bill being proposed to ascertain what persons are proper to Serve as Jurymen, It is referred to be Considered tomorrow, when the Attorney Gen^l is to Attend

Cap^t *Miles Cary* &c waite upon the Councill and acquaint them, the house of Burgeffes had Setled and agreed upon the Publick Claimes made to this Affembly, which they were Ordered by the house to deliver to them, and desire their Concurrence.

March the 28th 1693

Present

HIS Ex^{ty} the Gov^r, *Ralph Wormeley Sec^y, William Byrd, John Lear, C^r Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell, Richard Lee Esq^{rs}*

The Bill for Suspending the Execution of the *Act for Ports &c* being read and debated is agreed to with these Amendments *viz^t* that Immediately after the words of *great Moment weight and Consequence* in the preamble, be incerted these following words, and the said Act lyeing before their Ma^s, and their Ma^s pleasure relateing thereto, not being yet Signified, and the rest of the preamble left out.

The Bill for giving Incouragement to Erect Fulling Mills, referred to be further Considered

The Bill concerning Indians hoggs is agreed to, as Sent

The Bill for Seating certain Lands on the South-side of *James River*, and *Pomunky Neck*, read a Second time, and referred to be further Considered of.

The Bill for Advancement of Coines, read the second time, and not agreed to.

Cap^t *John Tayler* &c waite upon the Councill and present the following Message.

March 28th 1693

By the house of Burgeffes

Resolved that whatsoever Liquors [See J. of H. of B., p. 441.]

Ordered that this Vote be carried to the Hono^{ble} Councill for their Concurrence

Teste Peter Beverley Clerke of the house of Burgeffes.

March

March the 29th 1693

Present

HIS Ex^{ty} the Gov^r, *Ralph Wormeley Se^c., William Byrd, John Lear, Edward Hill, Henry Whiteing, Edmund Jennings, Henry Hartwell, Richard Lee Esq^{rs}*

The Bill for suspending the Execution of the A^ct for Ports &c read, and Ordered that the Clerke of the Gen^l Affembly carry the same to the house of Burgeffes with the following Amendments *viz*^t

By the hono^{ble} their Ma^s Council

Mr Speaker and Gent. of the house of Burgeffes

The Bill received from you Entituled A Bill for Suspending the Execution of the A^ct for Ports &c is agreed to with these Amendments *viz*^t that Immediately after the words of great Moment weight and Consequence in the preamble, be incerted these following Words, And the said A^ct lyeing before their Ma^s, and their Ma^s pleasure relating thereto not being yet Signified, and the rest of the preamble left out.

By Order of the Council

March 29th 1693

W. Edwards Cl Gen^l Aff^{ly}

Ordered that the Clerke of the Gen^l Affembly carry the Bill concerning Indians hoggs to the house of Burgeffes endorft thus

Virg^a March the 29th 1693.

By the hono^{ble} their Ma^s Council

This Bill is agreed to

By Order of the Council

W. Edwards Cl Gen^l Aff^{ly}

The Bill for the better defence of the Countrey read the third time, and Ordered that the Clerke of the Gen^l Affembly carry the same to the house of Burgeffes with the following Amendments

By the hono^{ble} their Ma^s Council

Mr Speaker and Gent of the house of Burgeffes

We agree with you in the bill for the better defence of the Countrey, with the Amendments as herewith sent Leaveing out the Clause repealeing the A^ct for the better defence of the Countrey in 1691

The Clause continueing the same A^ct in 1692

The Clause continueing the Souldiers raised and Setled, as already Setled, it being upon revivals already made.

The Clause wherein the Soldiers are Comanded to Obey all ord^s &c from the Liev^t Gov^r or Comander in Chiefe with the Advice of the Council, it being repugnant to Statute Law, and their Ma^s Letters Patents under the Great Seale of *England* relating to the Militia.

and leaveing out that clause directing the Court and Military Officers to imprison reward and punish such as bring News, in place and Stead of which last clause, a clause Impowering County Courts to perform the same.

By Order of the Council

March the 29th 1693

W. Edwards Cl Gen^l Aff^{ly}

Cap^t *Francis Clements* &c. waite upon the Council & acquaint them, they are Ordered by the house of Burgeffes to present to them, a Bill Entituled a Bill appointing a Treasurer and desire their Concurrence.

The Bill for ascertaining the Price of Coasting Cocketts and requireing Officers Attendance read the Second time, and is agreed to with these Amendments *viz*^t

That in the third line the word Coasting be put before the Word *permitts*, and left out before the word *Cocquetts*.

That instead of the &c in the 9th and all other lines be put, the words, or other Vessells

That the Word *Coasting* in the Eleventh line be put before the word *permitt* in the 10th line

That

That in the 11th line, after the words, *Current Money*, be put, except for the Enumerated Commodities according to Law,

That after the Word, *Ships* in the 26th line be put Sloopes or other Veffells.

That Inftead of the words, *upon all occafions* in the laft line, be put at all lawfull times.

A Bill Entituled, A Bill appointing A Treafurer was read, and Ordered to be read a Second time.

March the 30th 1693

Present

HIS Ex^{ty} the Gov^r, *Ralph Wormeley Sec.*, *William Byrd, John Lear, Edward Hill, Henry Whiteing, Edmund Jennings, Henry Hartwell, Richard Lee Esq^r*

The Bill for giving encouragement to Erect Fulling Mills read the Second time, and Ordered that the Clerke of the Generall Affembly carry the same to the house of Burgefles endorft thus

Virg^a March the 30th 1693

By the hono^{ble} their Ma^s Councill

This Bill is agreed to

By Order of the Councill

W. Edwards Cl Gen^l Aff^y

Ordered that the Clerke of the Gen^l Affembly carry the Bill for afcertaining the price of Coafting Cocquetts and requireing Officers Attendance to the house of Burgefles with the following Amendments.

By the hono^{ble} their Ma^s Councill

M^r Speaker and Gent of the house of Burgefles

The Bill for afcertaining the price of Coafting Cocquetts and requireing Officers Attendance is agreed to with thefe following Amendments *viz^t*

That in the third line, the word Coafting be put before the word *permitts*, and left out before the word *Cocquetts*.

That inftead of the &c in the 9th line and all other lines, be put the words, or other Veffells

That the word *Coafting* in the 11th line be put before the word *permit* in the 10th line

That in the 11th line after the Words *Currant Money* be put except for the Enumerated Comodities, according to Law.

That after the Word *Ships* in the 26th line, be put Sloops or other Veffells

That inftead of the words *upon all occafions* in the laft line, be put at all lawfull times.

March 30th 1693

By Order of the Councill

W Edwards Cl Gen^l Aff^y

The Bill for the Incourageing the Erecting of a Poft Office in this Countrey read the Second time, and agreed to with thefe Amendments and Additions *viz^t*

That inftead of the Words following the Words, *that is to fay*, in the Second line of the Second Sheete to the End of that Paragraph, the following words be inferted, for the port of every Letter not exceeding one Sheete to or from any place not exceeding fourfcore *English* Miles diftance from the place where fuch Letter fhall be received 3^d & for the like port of every Letter not exceeding two Sheetes fix pence, and for the like port of every pacquet of Letters proportionably unto the faid Rates, that is to fay for every Sheete exceeding two Sheetes to advance three pence and no more and for the like Port of every pacquett of Writts Deeds and other things after the rate of twelve pence for every ounce weight, and for the Port of every Letter not exceeding one Sheet above the diftance of fourfcore *English* Miles from the place where the fame fhall be received four pence halfe penny, and for the like port of a letter not exceeding two

Sheetes

Sheetes nine pence, and proportionably to the fame rates for the like port of all Pacq^{ts} of Letters that is to say, for every Sheete exceeding two Sheetes to advance four pence halfe penny and no more, and for the like port of every Pacquett of Writts Deedes and other things after the rate of Eighteene pence for every ounce weight.

The Bill for Seateing certaine Lands on the South-side *James River* and *Pomunky Neck*, read the third time, and being taken into Confideration is not agreed to.

The Bill for Altering the first day of the Gen^l Court in some cafes, and also of County Courts read the Second time, and being taken into Confideration, is not agreed to.

March the 31th 1693

Present

HIS Ex^{ty} the Gov^r, *Ralph Wormeley Señ., William Byrd, John Lear, Edward Hill, Henry Whiteing, Edmund Jennings, Henry Hartwell, Richard Lee Esq^{rs}*

Ordered that the Clerke of the Gen^l Affembly carry the Bill for Seating certaine Lands on the South-side *James River* and *Pomunky Neck* to the house of Burgeffes endorft thus

By the hono^{ble} their Ma^s Councill

March the 30th 1693

This Bill is not agreed to

By Order of the Councill

W Edwards Cl Gen^l Aff^{ly}

Ordered that the Clerke of the Gen^l Affembly carry the Bill for Altering the first day of the Gen^l Court in some cafes and also of County Courts to the house of Burgeffes endorft thus

By the hono^{ble} their Ma^s Councill

March the 30th 1693

This Bill is not agreed to

By Order of the Councill

W Edwards Cl Gen^l Aff^{ly}

Ordered that the Clerke of the Gen^l Affembly carry the Bill for Advancement of Coines to the house of Burgeffes endorft thus

By the hono^{ble} their Ma^s Councill

March the 28th 1693

This Bill is not agreed to

By Order of the Councill

W Edwards Cl Gen^l Aff^{ly}

The Bill appointing a Treafurer read the second time, and *Ordered* that the Clerke of the Gen^l Affembly carry the same to the house of Burgeffes endorft thus

By the hono^{ble} their Ma^s Councill

March the 31th 1693

This Bill is not agreed to.

By Order of the Councill

W Edwards Cl Gen^l Aff^{ly}

Ordered that the Clerke of the Gen^l Affembly carry the Bill for the Incourageing the Erecting of a Post Office in this Countrey to the house of Burgeffes with the following Amendments

By the hono^{ble} their Ma^s Councill

Mr Speaker and Gent of the house of Burgeffes

The Bill for the Incourageing the Erecting of a Post Office in this Countrey is agreed to with these Amendments and Additions *viz^t*

That Instead of the Words following the words, *that is to say* in the Second line of the Second Sheete to the End of that Paragraph, the following Words be inferted, for the Port of every Letter not exceeding one Sheete to or from any place not exceeding fourscore *Englilh* Miles distance from the place where such letter shall be received three pence, and for the like port of every Letter not exceeding two Sheetes six pence, and for the

the

the like port of every pacquett of Letters proportionably unto the said rates, that is to say for every Sheete exceeding two Sheetes to advance three pence and no more, and for the like port of every Pacquett of Writts Deeds and other things after the rate of twelve pence for every ounce weight, and for the port of every letter not exceeding one Sheete above the distance of fourscore *English* Miles from the place where the same shall be received four pence halfe penny, and for the like port of a Letter not exceeding two Sheetes nine pence, and proportionable to the same rates for the like port of all Pacquetts of Letters that is to say for every Sheete exceeding two Sheetes to advance four pence halfe penny and no more, and for the like Port of every Pacquett of Writts Deeds and other things after the rate of Eighteene pence for every ounce weight,

and that instead of the Words, *in the Severall parts* in the End of the third and begining of the fourth line of the third Sheete be incerted, into the Severall Post Offices in the respective Counties

March the 31th 1693

By Order of the Council

W. Edwards Cl Gen^l Aff^y

Ordered that the Clerke of the Gen^l Assembly carry the resolve about his Ex^{ty} the Gov^rs Liquors &c. to the house of Burgeffes endorft thus

By the hono^{ble} their Ma^y Councill

March the 31th 1693

This Resolve is not agreed to

By Order of the Council

W. Edwards Cl Gen^l Aff^y

Major *Thomas Youel* &c waite upon the Councill and present a Bill for Continueing the Rangers at the heads of the four great Rivers, and desire their Concurrence.

Cap^t *William Leigh* &c. waite upon the Councill and acquaint them the house of Burgeffes had agreed to their Amendments in the Bills entituled

A Bill for Suspending the Execution of the *Act for Ports* &c. and

A Bill for ascertaining the price of Coasting Cocq^{ts} and requireing Officers Attendance, and then delivered the said Bills, and acquaint them the house had agreed to the first part of the Amendments in the Bill for Incourageing the Erecting of a Post Office in this Countrey, but did not agree to the last part of the Amendments, and therefore desired a free Conference with some of the Councill about that part, as also about the Bill for Advancement of Coines, the Bill for leasing certaine Lands on the Southside *James River* and *Pomunky Neck*, and the Bill appointing a Treafurer returned not agreed to.

And *Richard Lee*, *William Byrd*, *Edmund Jenings* and *Henry Hartwell Esq^{rs}* were appointed to Conferr with them about the said Bills

April the 1st 1693

Present

HIS Ex^{ty} the Gov^r, *Ralph Wormeley Sec.*, *William Byrd*, *John Lear*, *Edward Hill*, *Henry Whiteing*, *Edmund Jenings*, *Henry Hartwell*, *Richard Lee Esq^{rs}*

Richard Lee Esq^r &c. Reports from the Conference with the Members of the house of Burgeffes thereto appointed that severall Arguments had been used upon some of the Bills, and desired that they might have some direction in the further management of the said Conference.

On Consideration whereof *it is Resolved*, that they have liberty to agree to the Words, *in the Severall parts*, in the End of the third and begining of the fourth line of the third Sheete of the Bill for Incourageing the Erecting of a Post Office in this Countrey, without the last Amendment, the aforesaid Words being to the same purpose, tho not so plain as those proposed.

Richard Lee Esq^r &c. Reports from the Conference that the Members of the house of Burgeffes appointed to manage the said Conference had not given any Sufficient Reafons

Reasons for Altering the Opinion of the Councill to the Bills, for Advancement of Coines for Seating certaine Lands on the Southside *James River* and *Pomunky Neck*, nor the Bill appointing a Treafurer

and that it was agreed the Bill for Incourageing the Erecting of a Post Office in this Countrey should pass without the last Amendment sent by the Councill.

Ordered that the Clerke of the Gen^l Assembly return to the house of Burgeffes the Bill for Suspending the Execution of the *Act for Ports &c.* and the Bill ascertaining the price of Coasting Cocquetts and requireing Officers Attendance, by the said House agreed to with the Amendments.

On reading the Claimes made this Assembly *Ordered* that the Clerke of the Gen^l Assembly Enter in the Margin of the Booke against the proposition of the Committee of Claimes about the Services of the persons appointed to looke out on the Seaboard Side of *Northampton* and *Princes Ann* Counties, this proposition not agreed to by the Councill, and against the allowance to *William Drumond*, the Word *Messenger* to be left out, and that he Enter m^r Audit^r Byrds Clause of twenty five pounds *Sterli* paid *John Perry* A Messenger Employed to *New York* according to agreement, and then Attest the said Claimes thus.

By the Hono^{ble} their Ma^s Councill

April the 1st 1693

Read and Approved with the Amendments

By Order of the Councill

W Edwards Cl Gen^l Aff^y

all which being accordingly done, *Ordered* that the Clerke of the Gen^l Assembly return the booke of Claimes to the house of Burgeffes.

The Bill for continueing the Rangers at the heads of the four great Rivers read, and *Ordered* that the Clerke of the Gen^l Assembly carry the same to the house of Burgeffes with the following Amendments

By the hono^{ble} their Ma^s Councill

Mr Speaker and Gent. of the house of Burgeffes

The Bill for continueing the Rangers at the heads of the four great Rivers, is agreed to with the following Amendments *viz^t*

That the preamble of the Bill be left out, and this inferted, Whereas it is very Necessary and beneficiall for the defence of this their Ma^s Dominion, and the Inhabitants thereof, that the Rangers at the heads of the four great Rivers be Continued

that the word, *saide*, in the third line of the body of the said Act be left out.

that the word, continued, be inferted after the word, *be*, in the fourth line.

that the words, Levied or, be inferted after the word, *Souldier*, in the Seventh line.

and that the words, raised or, be inferted in the fifth line of the Second Sheete after the word *Forces*

April the 1st 1693

By Order of the Councill

W Edwards Cl Gen^l Aff^y

Cap^t *John Stith* &c waite upon the Councill and acquaint them, that the house of Burgeffes agreed to the Amendments in the Bill for Continueing the Rangers at the heads of the four great Rivers.

Cap^t *Francis Clements* &c waite upon the Councill present the following Message and desire their Concurrence

By the house of Burgeffes

May it please yor Honor^s

The house of Burgeffes [See J. of H. of B., p. 445.]

Cap^t *William Bassett* &c. waite upon the Councill and present the Treasurers accounts of four pence ¾ Gallon on Liquors and desire their Concurrence thereto.

And the same being read and approved, *It is Ordered* that the Clerke of the Gen^l Assembly so Attest them, and return them to the house of Burgeffes.

April

Aprill the 3^d 1693

Present

HIS Ex^{cy} the Gov^r, *Ralph Wormeley Sec.*, *William Byrd, Edward Hill, Henry Whiteing, Edmund Jennings, Henry Hartwell, Richard Lee Esq^{rs}*

Cap^t *Miles Cary &c.* waite upon the Councill, present A Bill for raifeing a Publick Levy, and desire their Concurrence, also delivered the proportion of the Levy for their Approbation.

Cap^t *Miles Cary &c* waite upon his Ex^{cy} and pray that he will Signifye his pleafure, whether the Ingrossed Bills shall be sent him for his perusal before they be published or not, to which his Ex^{cy} replied, he expected them.

Ordered that the Clerke of the Gen^l Affembly endors the Bill for raifeing a Publick Levy, and the proportions of the Levy, agreed to, and return them to the house of Burgeses.

Cap^t *William Leigh &c* waite upon his Ex^{cy} the Gov^r and the Councill, and deliver them the Bills made this Session of Affembly Ingrossed in Parchment, and the Bills from which they are Ingrossed, for their perusal, and the same being examined, *Ordered* that the Clerke of the Gen^l Affembly return the Ingrossed bills to the house of Burgeses.

His Ex^{cy} propofed to the Councill if any thing more were to be Offered to the house of Burgeses before their breakeing up and it was answered noething now remained to be said to them.

Ordered that the Clerk of the Gen^l Affembly goe to the house of Burgeses and acquaint them, that his Ex^{cy} the Gov^r Comands their Attendance in the Gen^l Court house, where they being come M^r *Speaker* said

May it please yo^r Ex^{cy}

The hon^{ble} Councill have been pleased with the Burgeses to agree upon severall Acts which they have Judged Conducibile to the Peace Defence and Welfare of this their Ma^s Dominion, and their Ma^s Loyall Subjects here residing, which I here in the name of the Burgeses present to yo^r Ex^{cy} Ingrossed in Parchment, and pray in their behalfe that they may receive yo^r Ex^{cy}s Stamp towards their Authentication

1: *An Act for Suspending the Execution of the Act for Ports &c*

2: *An Act concerning Indians hoggs*

3: *An Act for giveing Incouragement to Erect Fulling Mills*

4: *An Act for ascertaining the price of Coasting Cocquetts and requireing Officers Attendance*

5: *An Act Incourageing the Erecting a Post Office in this Countrey.*

6: *An Act for continueing the Rangers at the heads of the four great Rivers*

7: *An Act for a Levy by the Pole, which is for the defraying of the publick Charge of the Countrey*

All which the Clerk Attends to read if yo^r Ex^{cy} so please which being Ordered

And the said Severall Acts being read, the same were assented to by his Ex^{cy} and signed by his Ex^{cy} and the Speaker, which done, his Ex^{cy} dissolved the Affembly

Cop^a Vera

Test W. Edwards Cl Gen^l Aff^{by}

ATT A

GEN^{LL}. ASSEMBLY

begun att *James Citty* the 10th day of *Octo^r* 1693, and on the
ffifth year of the Reign of Our Sovereign Lord and Lady
William and *Mary* by the Grace of God of *England, Scotland,*
ffrance, Ireland and *Virginia* King and Queen Defenders
of the ffaith &c^a.

Att a Gen^l Affembly begun att *James Citty* the 10th day of *Octo^r* 1693, and on the ffifth year of the Reign of Our Sovereign Lord and Lady *William* and *Mary* by the Grace of God of *England, Scotland, ffrance, Ireland* and *Virginia* King and Queen Defenders of the ffaith &c^a.

[*October* 10th, 1693.]

Present

HIS Excell^y, M^r Sec^r *Wormley, Edward Hill, Edm^o Jenings, Hen: Hartwell Esq^r*
Ordered that a Comiffion be prepared Appointing and Impowring *Edward Hill Edm^o Jenings* and *Hen: Hartwell Esq^{rs}* or any two of them to Administer the Vfeuall Oaths, to the members of the houle of Burgefles and by reason of the thinnets of the Houfe, they are to Acquaint them that they Adjorne themfelues till the 12th Instant.

Gen^l Courthouse *Octo^r* 12th 1693

Present

HIS Excell^y, M^r Sec^r *Wormley, Edward Hill, Edm^o Jenings, Hen: Hartwell Esq^r*
James Sherlock producing His Excell^ys Comiffion in the Gen^l Court houle and hauing taken the Oaths Appointed by Act of Par[']lam^t to be taken, Inftead of the Oaths of Allegiance and Supreamacy & Subfcribed the Teft, was Sworne Clerk of the Gen^l Affembly.

Ordred that the Clerk of the Gen^l Affembly goe to the Houfe of Burgefles, and Acquaint them, that His Excell^y Comands their Imediate Attendance in the Gen^l Court houle

Where they being Come His Excell^y thus Expreft himfelfe

Gent

I have receiued [See J. of H. of B., 1659/60-93, p. 450.]

A Meflage from the houle by Coll *ffitzhugh* &^a Acquainting his Excell^y that they had Chofen a Speaker and prayed to know when they fhould present him to his Excell^y His Excell^y Appointed 3 of the Clock in the Afternoone att the Gen^l Court houle.

Gen^l Court houle [*Post Meridiem*].

Present

HIS Excell^y, M^r Sec^r *Wormley, Edward Hill, Edm^o Jenings, Hen: Hartwell Esq^r*
Ordred that the Cl of the Gen^l Affembly go to the houle of Burgefles & Acquaint them His Excell^y is come to the Gen^l Court houle to receiue the presentation of their Speaker.

Coll *Thomas Milner* wth the houle of Burgefles waite upon his Excell^y in the Gen^l Court houle, and Acquaints his Excell^y that the houle of Burgefles had chofen him for their Speaker, who being Approued by His Excell^y pray'd that the Antient & ufeuall priuiledges of that houle might be Continued to them.

His

His Excell^y Anfwerd what priuiledges they haue, or Ought to injoy is Confirmed to them.

A Meffage from the houle by Cap^t *William Leigh* &^a praying a Copy of his Excell^{ys} Speech

Ordred that the Cl of the Gen^l Affemblem Carye to the houle of Burgefles A Copy of his Excell^{ys} Speech.

Octo^r. y^e 13th

Prefent

HIS Excell^y, M^r Sec^r *Wormley, Edward Hill, Edm^o Jenings, Hen. Hartwell Esq^a*
A Meffage from the houle by Cap^t *William Lee* &^a to Acquaint his Excell^y that m^r *Daniell Park* being choſen for *James Citty* County and for the County of *York* Such Chofe to Serve for *Jame's Citty*; *York* being therby Vacant. therefore pray his Excell^y that a Writt may Iſſue for Electing a Member for *Yorke*, & further pray His Excell^y to Comiſſionate Some perſons to Swear their Clerk.

Ordred that a Writt doe Iſſue Accordingly, and that a Comiſſion be prepared Impowring *Edward Hill Edm^d Jenings & Hen: Hartwell Esq^a* or any two of them to Swear the Clerk of the houle of Burgefles.

A Meffage from the houle by Cap^t *Will: Hardwich* &^a praying his Excell^y to Comuni- cate to the houle y^e report of the Comiſſioners of their Maj^{ties} Cuſtoms, & other papers w^{ch} his Excell^y mentioned in his Speech yeſterday.

Ordred that the Cl of the Gen^l Affemblem Carye the report of the Comiſſioners of their Maj^{ties} Cuſtoms & other papers to the houle of Burgefles. Adjornd to Morrow 8 a Clock

Octo^r. 14th 1693

Prefent

HIS Excell^y, M^r Sec^r *Wormley, Edward Hill, Edm^o Jenings, Hen Hartwell Esq^a*
An Addreſs from the houle by Cap^t *Anthony Armſtead* &^a
May it Pleaſe yo^r Excell^y

The houle of Burgefles taking [See J. of H. of B., p. 452.]

Ordred that the Cl of the Gen^l Affemblem Carye this following Anfwer to the Addreſs of the houle of Burgefles about an officer to Attend the houle

By His Excell^y

M^r Speaker

I haue Conſidered [See J. of H. of B., p. 453.]

Octo^r. 18th 1693

Prefent

HIS Excell^y, M^r Sec^r *Wormley, Edward Hill, Edm^d Jenings, Hen Hartwell Esq^a*
A Reſolue of the houle of Burgefles by Cap^t *Armſtead* &^a
May it Pleaſe yo^r Hon^{rs}

The houle of Burgefles haue [See J. of H. of B., p. 458.]

Octo^r. y^e 19th 1693

Prefent

HIS Excell^y, M^r Sec^r *Wormly, Edw^d Hill, Edm^o Jenings, Hen: Hartwell Esq^a*
Ordred that the Cl of the Gen^l Affemblem Carie to the Houſe this following Anfwer to the reſolue of yeſterday.

By the Council

M^r Speaker

Wee receiued a reſolue [See J. of H. of B., p. 459.]

Oct^r

(195)

Octo^r y^e 23^d 1693

Present

HIS Excell^y, M^r Sec^r Wormley, Edward Hill, Hen: Whiting, Edm^o Jenings, Hen: Hartwell, Rich^d Lee, Esq^r

M^r William Edwards presents from the house the following Acts w^{ch} the house of Burgeffes haue passed and desire the Concurāce of the Councill

An Act for Building Churches & Chapells read y^e first tyme.

An Act for the laying Out Gleebs in Each parish and for Ascertaining the Ministers Salary, read the first tyme.

An Act showing how Ministers must be quallified, and by whome inducted. read the first tyme

An Act Appointing the Litergy to be read & read the first tyme

An Act Appointing Ministers to preach Weekly & duly to Administer the Sacraments. read the first tyme.

An Act for the Effectuall Surpreffing the prophanation of the Sabath day, Curfing, Swearing, & Drunkenness. read the first tyme

An Act Appointing Vestrys. read the first tyme

An Act Appointing Church Wardens to keep the Church in repaire and to provide Books & Ornaments for y^e Same. read y^e first tyme

An Act Appointing Registers to be kept by the Minister or reader in Each parish. read the first tyme.

An Act prohibiting priuate burials. read the first tyme.

An Act Appointing Mariages to be made by Ministers Only & to be authorized by lycence or publishing the banes. read the first tyme.

An Act declaring how lycences for Mariages shall Issue read y^e 1st tyme

An Act prohibiting Sereuants Mariages without Consent of their Masters. read the first tyme

An Act against ffornication read the first tyme.

An Act declaring that Baptism of Slaues doth not Manumitt or sett them ffree. read the first time

Octo^r 24th 1693

Present

HIS Excell^y, M^r Sec^r Wormley, Rich^d Lee, Edw^d Hill, Hen: Whiting, Edm^o Jenings, Hen: Hartwell Esq^r

Cap^t Epps &^a Presents from the house the two following Acts w^{ch} the house of Burgeffes haue passed and diffire y^e Concurrence of the Councill

An Act for the Encouragment of the manufacture of Lying Cloath. read the first tyme

An Act for Continuing the Rangers att the heads of the fouer great Rivers. read the first tyme.

Octo^r 25th 1693

Present

HIS Excell^y, M^r Sec^r Wormley, Rich^d Lee, Edward Hill, Chr: Wormley, Hen: Whiting, Edm^o Jenings, Hen Hartwell Esq^r

An Act for Building of Churches & Chappells. read a Second tyme

An Act for laying out Gleebs in each parish & for Affcertaining the Ministers Salary. read the Second tyme.

An Act Shewing how Ministers must be qualified & by whome inducted. read a second tyme

An Act Appointing the Liturgy to be read. read a Second tyme.

An

An Act Appointing Ministers to preach Weekly and duely to Administer the Sacraments. read a Second tyme.

An Act for the Effectuall Surpreffing the prophanation of the Sabbath day, Curfing Swearing & drunkenefs. read a Second tyme.

An Act Appointing Vestrys read a Second tyme.

An Act Appointing Church Wardens to keep the Church in repaire & to provide books & Ornaments for y^e Same. read 2^d tyme.

An Act Appointing Registers to be kept by the Minister or Reader in Each Parish. read a Second tyme.

An Act Prohibiting priuate Burialls read a Second tyme.

An Act Appointing Mariages to be made by Ministers only, & to be Authorised by lycence or publishing the Banes, read the Second tyme.

An Act declaring how lycences for Mariages shall Iffue. read the Second tyme.

An Act prohibiting Seruants Mariages without Consent of their Masters. read the Second tyme.

An Act against ffornication read the Second tyme.

An Act declaring that Baptizme of Slaves doth not Manumit or Sett them ffree. read the Second tyme.

Octo^r. 26th 1693

Present

HIS Excell^y, M^r Sec^r Wormley, Richard Lee, Edward Hill, Chr: Wormley, Hen: Whiting, Edm^o Jenings, Hen Hartwell Esq^r

Cap^t Barber &c^a Presents from the house the following Acts w^{ch} the house of Burgeffes haue passed & desire the Concurrence of the Councill.

An Act Appointing the method of holding Courts. read y^e first tyme

An Act Appointing the Courts to provide Law Books. read y^e first tyme

An Act proportioning the Iffuing of Writts read y^e first tyme.

An Act Affcertaining the tyme for filing Declarations in the Gen^l Court. read y^e first tyme

An Act Appointing Adjournments in Gen^l Courts to the two last dayes of the Court, for References, read y^e first tyme

An Act declaring how & where Criminalls shall be tryed. read first tyme.

An Act declaring how Appeals shall be made. read y^e first tyme

An Act Appointing the Value Each Court shall haue Jurisdiction off. read y^e first tyme.

An Act Shewing when Subpenas & dedimus potestatem shall Iffue. read the first tyme,

An Act Appointing County Courts, read y^e first tyme.

An Act Appointing how Actions are to be Entred at County Court and what tyme the Declaration is to be Entred. read the first tyme.

An Act Appointing the Declaration and Answer to be filed. read y^e first tyme.

An Act prohibiting priuate Courts read y^e first tyme

An Act Appointing all Tryalls to be by Juries. read y^e first tyme

An Act Appointing Grand Juries to present Ofenders. read y^e first tyme.

An Act Comanding Pilories Stocks, ducking Stooles to be Erected in Each County. read the first tyme.

An Act Appointing a Prifon to be built in Each County and Affcertaining their Rules. read y^e first tyme.

An Act for Supreffing of Vagabonds & binding poore Children to Trades, read y^e first tyme.

An Act allowing Judgments Acknowledg'd before two Justices to be good. read the first tyme.

An Act Appointing when & by whome a Superfedias shall be granted. read y^e first tyme.

An

An Act for the punishing of Evidences not Appearing upon Summons. read the first tyme

An Act Shewing how a dedimus potestatem shall issue. read 1st tyme

An Act Impowering Justices to grant Attachments, read y^e first tyme.

An Act directing how Executions & Attachments upon an Order of the Gen^l Court, must Issue. read the first tyme.

An Act Setting forth the Extention of Justices Warrants in the Apprehension of Run-away's. read y^e first tyme.

An Act Appointing Sheriffs. read y^e first tyme.

An Act Imposing a penalty on Sheriffs not makeing Sufficient returnes, or makeing false returnes, read y^e first tyme.

An Act Appointing when the returne of Non Est Inuentus shall be Allowed read y^e first tyme.

An Act prohibiting Arrests to be made, On Sundays Holy days att Gen^l Musters or att the Election of Burgeesses. read first tyme.

An Act Appointing the tymes for demand & tenders of Tobacco read y^e first tyme

An Act Appointing publick Levies to be first paid. first tyme.

An Act Appointing how Appraisalment of goods Seized by Execution shall be made. read y^e first tyme.

An Act Impowering Persons under Execution to redeeme their Bodys wth their Estates. read y^e first tyme.

An Act Imposing ffines on Sheriffs Concealing Tythables read y^e first tyme.

An Act Affertaining Sheriffs fees read y^e first tyme.

An Act Appointing A Coroners fee. read y^e first tyme.

An Act prohibiting Sheriffs, Justices, Clerks, to be Attorney's in the Court where they Officiate. read y^e first tyme.

Octo^r. 31st 1693

Present

HIS Excell^y, M^r Sec^r Wormley, Richard Lee, Edward Hill, Chr. Wormely, Edm^o Jenings, Hen: Whiting, Hen. Hartwell Esq^s

Cap^t William Lee presents from the house the ffolowing Acts w^{ch} the house of Burgeesses haue passed & desire the Concurrence of the Councill

An Act Appointing how Writts for the Election of Burgeesses Ought to be published.

An Act Appointing the Sec^r to Convey the Writts for Burgeesses

An Act Affcertaining the Number of Burgeesses

An Act freeing Burgeesses & their Seruants from Arrests and Affcertaining their Wages

An Act Appointing how publick Claimes shall be Certified. for allowance in the Assembly.

An Act Appointing how the list of Tythables must be taken

An Act declaring when Negros & Molatto's are tythable.

An Act Comanding English weights & measures to be provided in Each County

An Act Impowering County Courts to grant probates of Wills and Administrations.

An Act Establishing Widdow's Dowers.

An Act requiring the Courts to take Care of Orphans and their Estates.

An Act for preferuing & Securing Orphans Lands.

An Act showing how rights are to be proued & differted land when to be granted.

An Act relating to those that by mistake Seat upon other mens Lands.

An Act prohibiting Shooting or ranging upon other mens Lands

An Act declaring Land five years in quiet possession to be a good Barr against all pretenders.

An Act Confirming Imperfect Patents.

An Act declaring what Seating is, & in what tyme it Ought to be made.

An Act against fraudulent Conueyances

An

An Act Comāding all Conueyances made in England to be recorded in the Secretarys Office

An Act Impowering feme Couerts to make good Acknowledgments of the Sales of land
An Act declaring the duty of Surveyors & Affcertaining their ffees.

An Act Appointing Proceffioning

An Act declaring what ffences fhall be Suffcient

An Act Impowring the Courts yearly to Appoint Surveyors for high wayes.

An Act to preuent the Casting of Ballaft into Riuers & Creeks

An Act declaring how longe Judgments Specialties & Accounts fhall be pleadable.

An Act Concerning fforeign Debts.

An Act declaring how farr Accompts & Noates are pleadable againft Dead Mens Eftates

An Act Ordring how phifitians & Surgeons Accompts are to be made.

An Act allowing difcounts to be made in Court

An Act Concerning priority of payment to Countrey Creditors & Entertainment of Perfons without Agreement.

An Act declaring that Marking Tobacco transferrs the property.

An Act Appointing Attorneys for fforeigners to give Security to pay all Cofts and Damages.

An Act Allowing Fifteen ꝑ Cent Damages upon protefted Bills of Exchange

An Act regulating the Sizes & tares of Tobacco hhds

An Addrefs from y^e houfe by Cap^t William Lee &c

To His Excell^y

The humble Addrefs of the houfe of Burgeffes

Their Maj^{ties} Dutifull [See J. of H. of B., pp. 470-1.]

Novem^r. 1st. 1693

Preſent

HIS Excell^y, m^r Sec^r Wormley, Richard Lee, Edward Hill, Chr: Wormley, Hen: Whiting, Edm^o Jenings, Hen: Hartwell Efq^s

An Addrefs from the houfe by Cap^t Randolph &c

To His Excell^y S^r Edmund Andros Kn^t their May^{ties} Leiu^t & Governor Gen^l of Virginia
May it Pleaſe yo^r Excell^y

It hauing been preſented [See J. of H. of B., p. 474.]

An Act for Continuing the Rangers att the heads of the four greate Rivers read a Second tyme

An Act for the incouragement of the Manufacture of Lying Cloath, read a Second tyme.

Cap^t William Randolph &c preſents from the houfe the following Acts w^{ch} the houfe of Burgeffes haue paſſed, and diffire the Concurrence of the Councill

An Act againſt diuulgers of falce news.

An Act puniſhing Offenders for defaming y^e Gow^{rs} Councillors and Other principall Officers.

An Act regulating Ordinary keepers

An Act declaring how long Seruants fhall Serue comeing in without Indentures

An Act Prohibiting Maſters dealing wth their Seruants

An Act Prohibiting Maſters Crewelty to their Seruants,

An Act againſt runaways, & laying a penalty upon thoſe that fhall Entertain them

An Act declaring Negroes, Moores Molatto's & Indian Slaues

An Act to preuent the Infurrection of Negroes, & for Suppreſſing out lying Slaues.

An Act for the more Speedy proſecution of Slaues Comitting Capitall Crymes.

An Act forbiding Tobacco planting after the laſt of June & prohibiting the tending of Seconds or Slippes

An

An Act declaring how those that take up Stray horses Cattle & boates &^a shall publish the Same.

An Act allowing Land for Erecting Grift Mills, fulling Mills and Court houses.

An Act against Exacting Millers.

An Act against hogstealing

An Act Concerning the Granting off passes to persons departing the Countrey.

An Act Ascertainning the Secretary's, Clerk of County Courts & Clerk of the Assemblies fees.

An Act for Naturalization.

An Act for peices of Eight to pafs for five Shillings.

An Act for the better Supply of the Countrey wth Armes Amunition & ffurniture

An Act giuing reward for killing Wolues

An Act restraining the Imprefs of Timber, boats, &^a

An Act for raising a publick reuenuue for the better Support of the Gouverment.

An Act for Collectors fees.

An Act forbiding Maryland Veffells trading into this Countrey without makeing due Entrey.

An Act Concerning Indians.

These ffollowing Bills being read a third tyme, and Severall Amendments made therupon, *Ordred* that the Clerk of the Generall Affemblem do Carie the said Bills to the house of Burgeffes wth the Amendments.

An Act for Building of Churches & Chappells

An Act for the laying out Gleebees in Each Parish and for Affcertaining the Ministers Salary.

An Act fhowing how Ministers must be qualified and by whome Inducted.

An Act Appointing the Liturgy to be read

An Act Appointing Ministers to preach Weekly and duly to Administer the Sacraments.

An Act for the Effectuall Surpreffing the Prophanation of the Saboth day, Curfing Swearing & drunkennefs

An Act Appointing Vestry's

An Act Appointing Church Wardens to keepe y^e Church in repaire, and to provide Books & ornaments for the Same

An Act Appointing Registers to be kept by y^e Minister or Reader in Each Parish.

An Act prohibiting priuate Burialls. laid aside

An Act Appointing Mariages to be made by Ministers only & to be Authorized by Lycence or publishing y^e banes.

An Act declaring how Lycences for Mariages shall Issue.

An Act prohibiting Seruants Mariages without Consent of their Masters.

An Act against fornication.

An Act declaring that Baptizm of Slaues doth not Manumitt or sett them ffree.

Novem^r. 2^d. 1693

Present

HIS Excell^y, M^r Sec^r Wormley, Richard Lee, William Byrd, Edward Hill, Chr: Wormley, Hen: Whiting, Edm^o Jenings, Hen: Hartwell

Ordred that the Clerk of the Gen^l Affemblem Carie the following Answer to the Address of the house y^e 31st of Octo^r

By His Excell^y

M^r Speaker

ffor Answer [See J. of H. of B., p. 477.]

Ordred that the Clerk of the Gen^l Affemblem goe to the house of Burgeffes & Acquaint them that His Excell^y Comands their Imediate Attendance in y^e Councill Chamber where they being come His Excell^y thus Expreft himselfe

M^r Speaker & Gent of y^e house of Burgeffes

Hauing in Aprill last [See J. of H. of B., p. 482.]

Novem^r.

Novem^r 3^d 1693

Present

HIS Excell^y, m^r Sec^r Wormley, *Richard Lee, Edward Hill, Chr: Wormley, Hen: Whiting, Edm^o Jenings, Hen: Hartwell Esq^a*

A Resolve of the house of Burgeffes by Coll *ffitzhugh* &^a

By the house of Burgeffes

Resolved that His Excell^y be Addrest that he will be pleased to Communicate to the house in Writing y^e Subtance of his Speech this day deliuered to them in y^e Councill Chamber, and that he will further fauor the house, wth her Maj^{ty}s Letter or a Copie thereof relating to y^e Same.

Now^r 2^d 1693

Test Peter Beuerly Cl H. Burg

Ordred that the Clerk of the Gen^l Affsembly to Carye to the house of Burgeffes, a Copy of His Excell^{ty}s Speech and the Queens Letter.

Nouem^r 4th 1693

Present

HIS Excell^y, M^r Sec^r Wormley, *Richard Lee, Edward Hill, Chr: Wormley, Hen: Whiting, Edm^o Jenings, Hen: Hartwell Esq^a*

Coll *ffitzhugh* &^a pray a Conference wth y^e Councill upon the Amendments of Some of the Bills sent back to them Appointed, att fouer a Clock in the after Noone and m^r Secretary Wormley *Richard Lee Edward Hill*, and *Hen: Hartwell Esq^a* to manage the Conference

M^r Secret^r Wormley reports from the Conference. that Coll *ffitzhugh* and Cap^t Leigh two of the Conferees did Acquaint the Councill that the house of Burgeffes had Agreed to y^e 3. 4. 5. 6. 7. 11. 12. 13. & 14 Bills, and that the house could not agree to the Councills Amendments and Alterations, on the Other Bills, & that the Burgeffes, because itt was a Matter of uery great Moment desired not to make any further progres, till they had reported to y^e house the reasons & Anfwers of the Councill upon this debate, & agreed to have a Conference to Morrow in y^e afternoone

Nouem^r 5th 1693

MR Sec^r Wormley Reports from the Conference that the Members of the house of Burgeffes who were Appointed to Confer wth the Councill upon the Subject Matter on the Amendments of the Seuerall Bills debated yesterdai att the Conference, did Acquaint the Councill, that the Seuerall Amendments to the former Bills (Except the Bill, for laying out of Gleebs in Each parish & for Affcertaining the Minifters Salary) were agreed to. And that the Bill for Prohibiting priuate Burialls was agreed to be laid aside, as proposed by the Councill, and as to the Bill for laying Out Gleebs in Eurey parish and Affcertaining the Minifters Salary, the house did so far agree, that instead of 40^l p^o pole it might be 30 p^o pole & after Seuerall Arguments the Gentlemen did Acquaint the Councill that the house of Burgeffes would not receed from a Uote of their house made thereon, but that they were Impowered to Agree for the Allowance of 16000^l of tobacco, and the Councill proposing, that the Same might be paid them without Charge, itt was Agreed that the Said Allowance of 16000^l of tobacco, should be Collected & paid by the Church Wardens of the respectiue parishes, without Charge or defaulcation

Nouem^r

Nouem^r 6th 1693

Present

HIS Excell^y, M^r Sec^r Wormley, *Richard Lee, Edward Hill, Hen: Whiting, Hen: Hartwell Esq^a*

Ordred that the Clerk of the Gen^l Affembly Carie the ffollowing Answer to the Addrefs of the houle of Burgeffes of 30th of Octo^r past.

By the Councill

M^r Speaker & Gent. of the houle of Burgeffes

His Excell^y hauing upon the receipt [See J. of H. of B., pp. 480-1.]

Nouem^r 7th 1693

Present

HIS Excell^y, M^r Sec^r Wormley, *Richard Lee, Edward Hill, Hen: Whiting, Hen: Hartwell Esq^a*

An Act Appointing how Writts for the Election of Burgeffes ought to be published. read the first tyme.

An Act Appointing the Secretary to Conuey the Writts for Burgeffes. read the first tyme.

An Act Affcertaining the Number of Burgeffes, read y^e first tyme

An Act ffreeing Burgeffes & their Seruants from Arrests and Affcertaining their Wages, read the first tyme,

An Act Appointing how publick Claimes shall be Certified for allowance in the Affem- bley, read the first tyme

An Act appointing how the lists of tythables must be taken, read the first tyme.

An Act declaring when Negroes, & Mallatto's are tythable read the first tyme.

An act Comanding English Weights & Measures to be provided in Each County, read the first tyme

An Act Impowering County Courts to grant probates of Wills & Administrations, read the first tyme.

An Act Establishting Widdows Dower's, read y^e first tyme.

An Act Requiring y^e Courts to take Care of Orphans and their Estates read the first tyme.

An Act for Preseruing & Securing of Orphans Lands, read the first tyme.

An Act showing how Rights are to be proued & deserted Land when to be Granted, read y^e first tyme.

An Act relating to those that by mistake seat upon other mens Lands, read y^e first tyme.

An Act prohibiting Shooting or Ranging upon other Men's Lands, read the first tyme.

An Act declaring Land five years in quiett possession to be a good bar against all pre- tenders, read the first tyme.

An Act Confirming Imperfect Patents, read y^e first tyme

An Act declaring what Seating is & in what tyme itt Ought to be made, read y^e first tyme.

An Act against ffraudulent Conueyances, read y^e first tyme

An Act Comanding all Conueyances made in England to be recorded in the Secretarys Office, read y^e first tyme.

An Act Impowering ffeame Couerts to make good Accknowledgments of the Sale of land, read the first tyme.

An Act Declaring the Duty of Surueyors & Affcertaining their ffees, read y^e first tyme.

An Act Appointing Proceffioning read the first tyme

An Act declaring what fences shall be Sufficient read y^e first tyme.

An Act Impowering the Courts yearly to Appoint Surueyors for high wayes, read the first tyme.

An Act to preuent the Casting of Ballast into Riuers and Creekes, read the first tyme.

An Act declaring how long Judgments Specialties & Accompts shall be pleadable, read the first tyme.

An

An Act Concerning fforeign Debts, read y^e first tyme

An Act Declaring how far Accompts & notes are pleadable against dead mens Estates,
read the first tyme.

An Act Ordering how Phifitians & Surgeons Accompts are to be made, read the first tyme

An Act Allowing discounts to be made in Court. read y^e first tyme

An Act Concerning priority of payment to Countrey Creditors and Entertainment of persons without Agreement, read y^e first tyme.

An Act declaring that Marking Tobacco transfer's the property, read the first tyme.

An Act Appointing Attorneys for fforeigners to giue Security to pay all Cofts & Damages, read the first tyme.

An Act Allowing fifteen $\frac{3}{4}$ Cent damages upon protested Bills of Exchange, read the first tyme.

An Act Regulating the Sizes & tares of Tobacco hhd's read 1st tyme

An Act against diuulgers of false Newes, read ye first tyme

An Act punishing Offenders for Defaming the Gow^r Councillers & other principall Officers, read y^e first tyme.

Nouem^r 8th 1693

Prefent

HIS Excell^y, M^r Sec^r Wormley, Richard Lee, Edward Hill, Hen Whiting, Edm^o Jenings, Hen Hartwell Esq^a

The two ffollowing Bills being read a third tyme & Some Amendments made therupon. *Ordred* that the Clerk of the Gen^l Affembly doe Carie the said Bills to the houle of Burgeffes wth the Amendments

An Act for the incuragment of the manufacture of lyning Cloath.

An Act Appointing Rangiers att the ffrontiers of the fouer greate Riuers,

Signed by Order of the Councill

Dat. y^e 8th No^r 1693

James Sherlock Cl G. Affem^r

Coll ffitzhugh &^c returne the two ffollowing Bills wth their Amendments. Agreed to by the houle of Burgeffes

A Bill for the Encouragment of the Manufacture of Lyning Cloath. Affented to by the Councill.

A Bill Appointing the Rangers att the ffrontiers of the fouer great Riuers. Affented to by the Councill,

The ffollowing Bills being read a third tyme and Seuerall Amendments made therupon. *Ordred* that the Clerk of the Generall Affembly doe Carie the Said Bills to the houle of Burgeffes, wth the Amendments.

An Act Appointing the Method of holding Courts.

An Act Appointing the Courts to provide Law bookes laid aside by the Councill

An Act declaring how & where Criminalls shall be tryed.

An Act declaring how Appeales shall be made.

An Act Appointing the Value each Court shall haue Jurisdiction of.

An Act proportioning the Issuing of Writts

An Act Appointing Adjournments in Gen^l Courts to the two last dayes of the Court for references, laid aside by the Councill.

Novem^r 9th 1693

HIS Excell^y, M^r Sec^r Wormley, Richard Lee, Edward Hill, Hen: Whiting, Edm^o Jenings, Hen: Hartwell Esq^a

Coll ffitzhugh &^a returns the ffollowing Bills with their Amendments, agreed to by the houle of Burgeffes.

An Act Appointing the method of holding Courts

An

An Act Appointing the Courts to provide law bookes, the house of burgeses agree that itt be laid Aside

An Act proportioning the Issuing of Writts

An Act Appointing Adjournments in the Gen^l Court to the two last dayes of the Court for references, the house of Burgeses Agree that itt be laid Aside. Affented to by the Councill.

An Act regulating Ordinary Keepers, read y^e first tyme.

An Act declaring how long Seruants shall Serue coming in without Indentures, read y^e first tyme

An Act prohibiting Masters dealing with their Seruants read y^e first tyme.

An Act Prohibiting Masters Cruelty to their Seruants. read y^e first tyme.

An Act against runaways, & laying a penalty upon those that Shall Entertain them. read the first tyme.

An Act declaring Negroes, Moores, Molattos, & Indian Slaues, read y^e first tyme

An Act to preuent the Insurrections of Negros & for Suppreffing out lying Slaues, read the first tyme.

An Act for the more Speedy prosecution of Slaues Comitting Capitall Crimes, read the first tyme

An Act forbidding tobacco planting after the last of June & prohibiting the tending of Seconds or Slipps, read y^e 1st tyme

An Act declaring how those that take up Stray horses Catle & Boates &^a shall publish the fame, read y^e first tyme.

An addrefs from the house by Cap^t Armstead &^a

To his Excell^y

The humble Addrefs of the House of Burgeses

May it Please yo^r Excell^y

Your Excell^y being pleased [See J. of H. of B., pp. 482-3.]

An Act Appointing how Actions are to be Entered att County Courts and what tyme the declaration is to be filed, read the second tyme

An Act Appointing the Declarations & Answers to be filed read the Second tyme

An Act prohibiting priuate Courts, read the Second tyme,

An Act Appointing all tryalls to be by Juries, read y^e Second tyme

An Act Appointing Grand Juries to present offenders, read the Second tyme

An Act Comanding Pilories, Stocks, Ducking stooles, to be Erected in Each County. read a Second tyme,

An Act Appointing a Prifon to be built in Each County and Ascertainning their Rules, read a Second tyme,

An Act for Suppreffing of Vagabones & binding poore Children to trades, read a Second tyme

An Act allowing Judgments acknowledged before two Justices to be good. read the second tyme.

Nouem^r 10th 1693

Prefent

HIS Excell^y, M^r Sec^r Wormley, Richard Lee, Edward Hill, Hen: Whiting, Edm^o Jenings, Hen: Hartwell Esq^s

These following Bills being read a third tyme & Seuerall Amendments made therupon. Ordred that the Clerk of the Gen^l Affemblem Carie the Said Bills to the house of Burgeses wth the Amendments.

An Act Appointing how Actions are to be Entered att County Courts & what tyme the declaration is to be filed

An Act Appointing Declarations & Answers to be filed

An Act prohibiting priuate Courts

An

An Act Appointing all tryalls to be by Juries

An Act Appointing Grand Juries to present Offendors

An Act Comanding Pilories, Stocks, Ducking Stooles to be Erected in each County.

An Act Appointing a Prifon to be built in each County and Affcertaining their Rules.

An Act for Surpreffing of Vagabones and binding poore Children to trades.

An Act allowing Judgments Acknowledged befor two Justices to be good.

Ordred that the Clerk of the Gen^l Affembly Carie y^e ffollowing Meffage to the houle of Burgeffes.

By the Councill

Mr Speaker & Gent of the houle of Burgeffes

Their Maj^{ties} hauing Comanded [See J. of H. of B., p. 485.]

Gen^l Court houle

Present

HIS Excell^y, Mr Sec^r Wormley, *Richard Lee, Edward Hill, Hen: Whiting, Edm^o Jenings, Hen: Hartwell Esq^s*

Ordred that the Clerk of the Gen^l Affembly signifie to the houle of Burgeffes his Excell^{ys} Comands to Attend him Imediatly in the Gen^l Court houle to pafs the Acts Appointing Rangiers upon the ffrontiers of the fouer greate Riwers & An Act for the Encouragment of y^e Manufacture of Lying Cloath.

The houle being come, m^r Speaker Accquaints His Excell^y that the Houfe had receiued his Comands Imediatly to Attend him in the Gen^l Court houle, to pafs the Act Appointing Rangers upon the ffrontiers of the fouer great Riwers, And the Act ffor the incouragment of the Manufacture of Lying Cloath, the Acts being read by y^e Clerk the Same was Affented to, and Signed by His Excell^y and the Speaker.

A Meffage from the Houfe by Coll ffitzhugh &^a to know why they had not the Bill 24: Anfwered, that the Subftance of that Bill will be in the 37th Bill

Nouem^r 11th 1693

Present

HIS Excell^y, Mr Sec^r Wormley, *Richard Lee, Edward Hill, Hen: Whiting, Edm^o Jenings, Hen: Hartwell Esq^s*

A Meffage from the Houfe to His Excell^y by Cap^t Ranfon &^a

May it Please yor Excell^y

In Anfwer to yor Speech [See J. of H. of B., p. 487.]

A Meffage from the Houfe to the Councill by M^r Edwards &^a

May it Please yor Hon^{rs}

The Houfe of Burgeffes [See J. of H. of B., p. 488.]

Ordred that the Clerk of the Gen^l Affembly Carie y^e following Meffages to the Houfe of Burgeffes.

By the Councill

Mr Speaker & Gent of y^e houle of Burgeffes

His Excell^y hauing laid [See J. of H. of B., pp. 488-9.]

By the Councill

Mr Speaker & Gent of y^e houle of Burgeffes

On the Sixth Instant [See J. of H. of B., p. 488.]

The following bills being read a third tyme & Seuerall Amendments made therupon.

Ordred that the Clerk of the Gen^l Affembly Carie the faid Bills to the houle of Burgeffes wth the Amendments

A Bill Appointing when & by whome a Superfedias fhall be granted is agreed to,

A Bill for the punifhment of Euidences not appearing upon Summons

A Bill Showing how a Dedimus Potestatem fhall Iffue.

Nouem^r

Nouem^r. 14th. 1693

Present

HIS Excell^r, M^r Sec^r Wormley, Richard Lee, Edward Hill, Hen: Whiting, Edm^o Jenings, Hen: Hartwell Esq^a

Cap^t Hodges presents from the house the two following Bills

An Act Affcertaining the Place for Erecting the Coledge of William & Mary. read the first tyme.

An Act laying an Impofition upon Skins & ffurrs for the better Support of the Coledge of William & Mary. read 1st tyme

The following Acts were this day read y^e first tyme

An Act allowing Land for Erecting Grift Mills fulling Mills and Court houses.

An Act against Exacting Millers

An Act against Hog stealing

An Act Concerning the granting of Passes to Persons departing the Countrey.

An Act for Affcertaining the Secretaries Clerk of County Courts & Clerk of the Affsemblies fees.

An Act for Naturalization

An Act for peices of Eight to pafs for five Shillings

An Act for the better Supply of the Countrey wth Armes Amunition & ffurniture.

An Act giueing reward for Killing of Woolves

An Act restraining the Imprefs of tymber, boates, &^a

An Act for raising a publick Reuenue for the better Support of the Gouverment

An Act ffor Collectors fees

An Act forbiding Maryland Veffells trading into this Countrey without making due Entry

An Act concerning Indians

Cap^t Randolph &^a brings the two following Messages from the house, and the Accompt of Claimes

By the House of Burgeffes

May it please yo^r Hon^{rs}

In Anfwer to yo^r Hon^{rs} Message [See J. of H. of B., pp. 489-90.]

By the house of Burgeffes

May it please yo^r Hon^{rs}

Your Hon^{rs} Message relating [See J. of H. of B., p. 490.]

Nouem^r. y^e 15th. 1693

Present

HIS Excell^r, M^r Sec^r Wormley, Richard Lee, Edward Hill, Edm^o Jenings, Hen: Hartwell Esq^a

A Message from the House by Coll ffitzhugh &^a diffiring a Conference wth the Councill upon the Amendments of an Act Entituled, *An Act showing how a dedimus Potestatem shall Issue.* y^e 24th & 37th Bills.

The Councill Appoint thre a Clock in the After Noone, and Richard Lee, Edward Hill, Edm^o Jenings & Henry Hartwell Esq^a to Manage the Conference

Coll Lee reports from the Conference Concerning the 24th and the 37th Bills itt was moued that a Clause should be Added to the Bill proposed by the Councill (*Viz*)

An Act for taking Affidauits in the Countrey to be made use of in the Gen^l and all other Courts within this Dominion, instead of those two Bills, Impowering the Clerks of the Secretary's Office and County Courts to Issue out *Subpenas* for all Euidences, in any action depending in y^e sd Courts, and y^t the first in Comission of Each Court haue power to grant a Cornission for taking Affidauits out of y^e County where such Cornissio shall be granted, & after Seuer^l Argum^{ts} thereon, y^e Memb^{rs} of y^e house declared they had no power to agree, but would report to the house.

Ordered

Ordered that the Clerk of the Gen^l Affemblem Carie the Claimes wth the Amendments to the houle of Burgeffes

By the Councill

M^r Speaker & Gent of the houle of Burgeffes

Vpon Confideration of the Claimes this day tranfmitted from yo^r Houfe to Us, We Obferue that the Claim of Cap^t *Sherman* Sheriff of *James City* County relating to the Imprifonment &^a of *William Dolby & Edward Legg* is diffallowed as being no Countrey Charge, w^{ch} we could not in the leaft haue Expected Seeing by Law itt is Exprefly provided that where a delinquent hath not an Eftate, or not Sufficient to defray the Charges, Arifing upon his profecution the Publick fhould be then lyable to pay the Same, & we are in no wife Senceible, that the Said *Dolby* or *Legg*, had any Eftate to make Sattisfaction, therefore Conceiue the Countrey ought to pay the Charges thereof, & altho the Said *Dolby* and *Legg*, are yett liuing, they differ much from being att large in the Countrey, for that itt was their Maj^{ty} Comand, that they fhould be fent home, wth all papers relating to their Tryall, & therefore We are of Opinion, that this Claim Ought to be Allowed.

The Claim of *Thomas Lun* for Work Nayles, one planke, done and made ufe off in and about the Gen^l Court houle, by Order of the Gen^l Court, We find likewise diffallowed by yo^r houle, as not being a Countrey Charge w^{ch} Seems ftrange, for that that houle was att firft built, att the Charge of the Countrey, that all proceedings relating to the Govern^t in Gen^l might there be tranfacted, att the Same Charge itt was rebuilt, And We Conceiue itt proper, that att the Same Charge itt fhould be Continued in repaire, being Extreemly decayed and rotten and therfore propofe the allowance of y^e fd *Luns* Claim

ffor the Same reafon the Claim of *Tho. Beckett* Ought again to be Confidered & Allowed by yo^r houle, As likwife that of M^s *Alice Goodrick*, for building A partition before M^r Secretaries office doore, & for plank and tymber for doing the Same, & for the Plank ufed about the State houle

We obferue likwife that m^r Secretary *Wormleys* Claim for 369 Military Corniffions is diffallowed by yo^r houle as being no Countrey Charge, w^{ch} We recomend to yo^r further Confideration, Seeing the Law Affcertaining the Secretaries fees has Exprefly provided a fee for fuch Seruices, & yo^r Selues haue given reafons, why the pertickular Officer Ought not to be Charged.

We find alfo that you haue Allowed m^r Secretary *Wormley* for 25 Writts Only, w^{ch} We Conceiue to be a Miftake, Seing 26 haue Ifsued Out of his Office, & therfore recomend to you the Allowance of the laft.

The Pay for the Leiuten^{ts}, Souldiers, Indians and Owners of horfes We find to be raifed, for thre Months from the firft day of *Decem^r* next to w^{ch} We propofe that their pay may be & paid this prefent year till the laft of *Aprill* next. Itt is likwife propofed, that pay may be raifed, for the faid Rangers to be paid the next year for the whole tyme, the Law of this prefent Affemblem has Appointed their Continuance.

The Allowance to m^r *Speaker* of 5400^l of Tobacco for his Extrordinary Care & trouble this Seffions, is more then ufeually allowed, & Confidering there is a Sufficient Gratuity prefented to him before We Conceiue itt fitt to be rejected.

As to the 10800^l of Tobacco prefented to Coll *ffitzhugh*, for his great trouble, in Collecting & preparing the Laws in Order to a Reuifall, We think fitt that, that be likwife rejected, for if Coll *ffitzhugh* therby has meritted any thing from the Countrey y^e reputation w^{ch} he will Acquire therein, is a Sufficient & Ample Sattisfaction for his Seruices. the Claimes Agreed to wth the Aboue Amendments.

Signed by Order of the Councill

James Sherlock Cl G. Affm^r

Nouem^r the 14th 1693

An A& Affcertaining the place for Erecting the Coledge of William & Mary in Virginia read a fecond tyme

An A& laying an Impofition upon Skins & furr for the better Support of the Coledge of William & Mary in Virginia read a Second tyme.

The

The two following Bills being read a third tyme and some Amendments made there-upon *Ordred* that the Clerk of the Gen^l Assembly Carie the said Bills to y^e house of Burgeses wth the Amendments

An Act Affcertaining the Place for Erecting the Colledge of William & Mary in Virginia

An Act laying An Imposition On Skins & furs for the better Support of the Colledge of William & Mary in Virginia

Nouem^r the 16th 1693

Present

HIS Excell^y, M^r Sec^r Wormley, *Richard Lee, Edward Hill, Edm^o Jennings, Hen: Hartwell Esq^r*

Cap^t Barber &c returns from the house the two following Bills Agreed to wth their Amendments

An Act Affcertaining the Place for Erecting the Colledge of William & Mary in Virginia

An Act laying an Imposition on Skins & furs for the better Support of the Colledge of William & Mary in Virginia

Nouem^r 17th 1693

Present

HIS Excell^y, M^r Sec^r Wormley, *Richard Lee, Edward Hill, Edm^o Jennings, Hen: Hartwell Esq^r*

By the house of Burgeses

May it please yo^r Hon^{rs}

The house of Burgeses hauing this day receiued from yo^r Hon^{rs} the booke of Claimes wth a written Message Conteyning what you are pleased to Object or propose Concerning Seuerall Artickles & parts of the Same on Consideration of the Subject Matter therof, haue agreed to returne yo^r Hon^{rs} this Answer to the particulars (*Viz*) To that particular wherin yo^r Hon^{rs} are pleased to declare yo^r Opinion that the Claime of Cap^t *Michaell Sherman* Sheriff of *James Citty* County for the Imprisonment of *William Dolby* and *Edward Legg* ought to be allowed. the House Cannot Concede for that the Said *Shermans* Claime Accrews for the keeping & menteyning the sd *Legg & Dolby*, upon a Repruiue a long tyme after a Condemnation, & they Conceiue the publick is only lyable for Such Charges as Arise upon y^e prosecution of Criminalls, & for the Execution of them. So that were the Circumstances of the Said *Dolby* and *Legg* such, as they had not Sufficient to defray y^e Same, how far So Euer the Countrey might be then lyable, in this Cafe itt Cannot be att all, being this is a Charge that could not possibely haue Accrewed, had Execution been made upon the Judgment, & they fayled of Obteyning the ffauor & Mercy of a Repruiue.

The Claime of *Tho^s Lun* for Worke done, & Nayles and planke, made use of about the Gen^l Court house by Order of the Gen^l Court, the house still Conceiue to be no Countrey Charge, for that Notwithstanding they must Accknowledge, that, that house is, & Ought to be Continued, in Necessary repaire, att the Charge of the Countrey, yett they cannot Conceiue the Country lyable for the Cost of Changing the Same into a different forme, or Ading of New Worke to itt, when there is no Need of present repaire

Vpon Consideration of the Claime of *Thomas Beckett*, the house haue allowed 140^l of Tobacco for bricking up the Chimney and Whitewashing the Gen^l Courthouse, the Same being a necessary reparation, butt the rest of his Claime, being for digging a Vault under the Powder house, is Conceiued to be no Countrey Charge & therefore not allowed.

The Claime of M^s *Alice Goodrick*, for building a partition before M^r *Secretarys* Office doore and for Plank & tymber for itt, the House still Conceiue to be no Countrey Charge, because that is a new peice of worke, & no wayes for the repaire of the house where itt Stands

The

The Claim of m^r Secretary *Wormley* for 369 Military Commissions, being Submitted by the Committee to the Consideration of the house wth Some reasons of theirs for not allowing of itt in y^e Committee was without any regard had to that pertickular reason of theirs, why the Officers Ought not to be Charged therewith Conceived by the House to be no Countrey Charge and they hope itt will so Appeare to yo^r Hon^{rs}, when you Consider that Euen this Affemby, they putt that fee amoungst the Secretaries, as they found itt, in the Ould Law upon Consideration that the Same is to be paid, as Other Secretary's fees are

The Omission of allowing for one Writt to M^r Secretary, was Occasioned by a Mistake, & therefore the House haue now Added the Allowance for itt to the Booke.

The House hauing Considered yo^r Hon^{rs} proposition Concerning the Rangers pay att the heads of the Riuers, and being Willing this Affemby to raise the whole, to the End the Souldiers may not haue itt Scattered, butt as near as may be together, w^{ch} cannot possibly be Effected if there should be no Other Leavey next year then what shall be now raised for them. Propose that by An Act of this Affemby the whole pay of the Rangers for 17 Months from the first of *Decemb^r* next being the full tyme of their Continuance both by the Old & new Law, together wth the present publick Charge of this Affemby be Added together, & Ordred to be paid the next Cropp w^{ch} this House takes to be not Only Conuenient for the Planter, being itt is late in the yeare, & there is already a present publick Leuy, butt far the best for the Souldiers, & other Creditors, Since by that meanes their Tobaccos will be the less Scattered, & may be Ordred far more Conuenient, then itt can possibly be, by part raised this year & part next.

The Seuerall allowances to M^r Speaker of 5400^l of Tobacco & of 10800^l to *Col^l ffitzhugh* were made by the House upon a due Sence & Consideration of their Respective Services in the greate worke Vndertaken this Affemby, w^{ch} being offered as a token of their Gratitude & Acknowledgment to them & not as a Mercenary or Equiualent reward, they hope itt will meete wth yo^r Hon^{rs} Concurrence, & tend to y^e further Incouragement of Others to ingage their Labours and ingenuity for the good of this Countrey, & therfor Cannot butt press itt to yo^r Hon^{rs} to allow of y^e Same.

Signed by Order of y^e House of Burgeffes

Now^r 16th 1693.

Peter Beauerly Cl. H. Burg.

Ordred that the Clerk of the Gen^l Affemby Carie the following Message to the house of Burgeffes

By the Councill

M^r Speaker & Gent of the house of Burgeffes.

This day we receiued a Message from yo^r house relating to the Claimes, Wherein we find you Continue in Opinion that the Claim of *Tho. Lun* is not a Countrey Charge. We are Satisfied that the Worke done by *Lun* by Order of the Gen^l Court, was for the necessary repairation of the Court house being Extreemly rotten & decayed, & therefore Ought to be paid, w^{ch} Claime being Allowed, We Agree to the others & the Proposition for the Rangers pay, and all other Charges Accrewing this Affemby to be paid the next year

Signed by Order of the Councill

Dat 17th Now^r 1693

James Sherlock Cl. G. Affm^r

An Addrefs from the House by Cap^t *Randolph* &^a

May it Please yo^r Excell^{ty} & Hon^{rs}

The House of Burgeffes hauing [See J. of H. of B., p. 493.]

A Message from the house by Cap^t *Randolph* &^a to Acquaint the Councill they had allowed *Lun*'s Claime and will pay itt in Tobacco att 10^d 3^d Cent. the Councill do not Agree to itt.

A Message from the House by Cap^t *Randolph* &^a that they had Agreed to *Lun*'s Claime & to be paid in Money.

Nowem^r

Novem^r y^e 18th 1693

Present

HIS Excell^y, M^r Sec^r Wormley, *Richard Lee, Edward Hill, Edm^o Jennings, Hen:
Hartwell Esq^a*

A Message from the House by Cap^t *Randolph &^a wth the Book of propor-
tions, and An Act for raising A publick Leuy to be paid in the year 1684 att
21st ¶ pole* agreed to.

Ordred that the Clerk of the Gen^l Assembly Carie the ffollowing Message to the House

By the Councill

M^r Speaker & Gent of the house of Burgeffes

The Artickle you Charge Coll *Hill* wth of Exchange returned protested of fifty two pounds Eleuen Shill and 3^d wth the damages and Cofts for the Same, He Auerrs he hath no protested Bill of Exch^a returned butt hath paid his money into the hands of Coll: *William Cole* According to the Order of the Gen^l Assembly, and hath receipt for the Same

Signed by Order of the Councill

No: y^e 18th 1693

James Sherlock Cl G. Affm^y

A Message from the House by Cap^t *Randolph &^a wth the money Account, the fifty two pounds Eleauen shill and 3^d being placed to the Accompt of Coll *William Cole*. The Councill Agree to the money Accompt.*

Ordred y^t the Clark of y^e Gen^l Assembly Carie the ffollowing Answer to the House of Burgeffes

By the Councill

M^r Speaker & Gent of the house of Burgeffes

In Answer to yo^r Address [See J. of H. of B., p. 494.]

Gen^l Court house

Present

HIS Excell^y, M^r Sec^r Wormley, *Richard Lee, Edward Hill, Edm^o Jennings, Hen:
Hartwell Esq^a*

Ordred that the Clerk of the Gen^l Assembly doe Signifie to the House of Burgeffes His Excell^{ys} Comands to attend him Imediatly in the Gen^l Court house. M^r *Speaker* and the House Attends & M^r *Speaker* Acquaints his Excell^y that he is Comanded by the House to pray his Excell^{ys} Assent to, *An Act for Affcertaining the Place for Erecting the Colledge of William & Mary in Virginia*

An Act laying an Impofition on Skins & furs for the better Support of the Colledge of William & Mary in Virginia. And An Act for raising a publick Leuy to be paid in the year 1694 att 21st ¶ pole, w^{ch} Acts being read by the Clerk His Excell^y Signed them and the Speaker. then His Excell^y diffolued y^e Affemb^y

James Sherlock Clerk of the Gen^l Assembly

AT A

GENERALL ASSEMBLY

begun at *James City* the Eighteenth day of *April* 1695 and
in the Seventh Year of the Reign of our Sovereign Lord &
Lady *William & Mary* by the Grace of God of *England*,
Scotland France, Ireland & Virginia King & Queen Defenders
of the Faith &c.

At a Generall Affsembly begun at *James City* the Eighteenth day of *April* 1695 and in the Seventh Year of the Reign of our Sovereign Lord & Lady *William & Mary* by the Grace of God of *England, Scotland France, Ireland & Virginia* King & Queen Defenders of the Faith &c.

[*April* the 18th 1695.]

Present

HIS Excellency, Mr Secre^y Wormley, W^m Byrd, Chr: Wormley, Edw^d Hill, Edm^d Jennings, Hen: Hartwell Esq^{rs}

Ordered that a Comission be prepared appointing & Impowering W^m Byrd Edw^d Hill & Edm^d Jennings Esq^{rs} or any two of them to administer to the Burgeffes the Oaths appointed by act of Parliam^t to be taken instead of the Oaths of Allegiance & Supremacy the Test & the Oath of a Burgefs.

W^m Byrd, Edw^d Hill & Edm^d Jennings Esq^r pursuant to his Excellencys Comission went to the State house & Administred the Oaths appointed by Act of Parliament to be taken instead of the Oaths of Allegiance & Supremacy the Test & the Oath of a Burgefs to the Burgeffes return'd by Writt.

The Clk of the Gen^{ll} Affbly acquaints his Excellency that the Burgeffes had adjourn'd themselves, till to Morrow morning 8 a Clock

Aprill the 19th 1695

Present

HIS Excellency, Mr Sec^y Wormley, W^m Byrd, Chr: Wormley, Edw^d Hill, Edm^d Jennings, Hen: Hartwell, James Blair Esq^{rs}

A message from the Members of the House of Burgeffes by Cap^t Randolph &c to acquainte his Excellency that the members were met & attended his Excellencys Comands.

Generall Court house.

Ordered that the Clk of the Gen^{ll} Affbly go to the members of the house of Burgeffes & acquainte them that his Excellency Comands their Immediate Attendance in the Gen^{ll} Courte house, where they being come

His Excell^{cy} told them he was glad to See So full an Appearance of the Gentlemen of the House of Burgeffes & that they were to repair to their house & make Choice of a Speaker.

A Message from the House of Burgeffes by M^r Carter acquainting his Excellency that they had made Choice of a Speaker

Ordered that the Clerk of the Gen^{ll} Affbly go to the house of Burgeffes & acquainte them that his Excellency Comands their Attendance at three a Clock in the Afternoone in the Gen^{ll} Courthouse.

Gen^{ll}

Gen^l Courthouse

Present

HIS Excellency, M^r Secret^y Wormley, W^m Byrd, Chr Wormley, Edw^d Hill, Edm^d Jennings, Hen: Hartwell, James Blair Esq^s

Coll^e Ludwell with the house of Burgeffes Attending his Excell^y And

Coll^e Ludwell acquaints his Excellency that the House of Burgeffes had Chosen him for their Speaker, who being Approved by his Excellency prayed the Continuance of the Priveledges of that house, His Excellency Answered what Priveledges they have or Ought to Enjoy is Confirmed to them.

Then his Excellency thus Exprest himselfe

Gentlemen

I have Received [See J. of H. of B., 1695-1702, pp. 4-5.]

April 20th 1695

Present

MR Sec^r Wormley, Richard Lee, William Byrd, Ch: Wormley, Edward Hill, Edm^d Jenings, Hen Hartwell Esq^s

A Message from the house of Burgeffes to his Excellency by M^r Carter &c^s praying a Copy of his Excell^ys Speech.

Ordered that the Clerk of the Gen^l Affsembly doe Carry a Copy of his Excell^ys Speech to the house of Burgeffes.

April 23^d 1695

Present

HIS Excell^y, M^r Sec^r Wormley, Richard Lee, William Byrd, Chr: Wormley, Edward Hill, Hen Hartwell Esq^s

An Addrefs from the house to his Excell^y by Cap^t Story &c^s

May it please yo^r Excell^y

The house of Burgeffes [See J. of H. of B., p. 8.]

Ordred that the Clerk of the Gener^l Affsembly do Carry to the house of Burgeffes Their May^{ties} Letters & the Lett^r from the Lords of the Treafury.

ffor the Affittance of *New York*

ffor the Encouragment & ffurtherance of the Colledge.

ffor Minifters Salary & allowances

ffor a Small Veffell to Cruife on the Coast to preuent Illegall Traders.

The Peticon of Cap^t George Mafon for the payment of Eighteen Rangers and himselfe their Captain Entered into the Seruice the 23^d of *June* & haue euer since Continued in the Same

Referred to the House of Burgeffes

Ap^l 25th 1695

Present

MR Sec^r Wormley, Richard Lee, William Byrd, Chr: Wormley, Edward Hill, Edm^d Jenings, Hen. Hartwell Esq^s

The Petiçon of Cap^t Miles Sherman Sheriff of *James Citty* County for Allowance for Attending the Gen^l Courts

Refer'd to the house of Burgeffes

The Petiçon of m^r William Sherwood ffor 50^{li} Sterl for two year's rent for the Council Chamber

Refer'd to the house of Burgeffes

Ap^l

April the 30th 1695

Present

HIS Excell^y, M^r Sec^r *Wormley, Richard Lee, William Byrd, Chr: Wormley, Edward Hill, Hen: Hartwell Esq^a*

An Addres from the house of Burgeffes to his Excell^y by Cap^t *Robinson &c^a*

The humble Addres of the house of Burgeffes

May it please yo^r Excell^y

Their Maj^{ties} Loyall and Dutifull [See J. of H. of B., pp. 15-17.]

His Excel^y Recornends y^e Addres from the house of Burgeffes in answer to his Speech to y^e Confideracon of y^e Council.

May the 1st

Present

MR Sec^r *Wormley, Richard Lee, William Byrd, Chr: Wormley, Edward Hill, Hen: Hartwell Esq^a*

A Message from the house by M^r *Robert Carter &c^a* Acquainting the Council that they were Appointed by the house of Burgeffes to Confer wth the Council, to Consider the best wayes & Methods for the Reuifeall of the Law's and desired that a tyme & place might be Appointed. the Council told them they would Consider of their Message and giue them an Answer

Ordred that the Clerk of the Gen^l Affemb^y do returne this Answer

That upon Confideracon of a Message this day from the house of Burgeffes desiring the Council to Joyne wth them att a Conference for the Revifeall of the Laws of this Countrey, the Council are of Opinion, in a Matter of So great Moment, and nothing hauing been Moued this Sesson relating therto that the Effect of that Message be sent to them in writing

Cap^t *William Taylo &c* presents to the Council the two following Bills w^{ch} the House of Burgeffes haue passed & desire the Concurrence of the Council.

An Act for Inlarging the bounds of Princels Ann County.

An Act Appointing how Probates and Administrations shall be signed for the future

May the 2^d 1695

Present

MR Sec^r *Wormley, Richard Lee, William Byrd, Chr: Wormley, Edward Hill, Hen: Hartwell Esq^a*

His Ex^y hauing yesterday laid before this Board the Addres of the house of Burgeffes whereof the *New York* affair was the first thing this day Considered the Council are humbly of Opinion, that their reasons in the said Addres denying all Aid of Men or Money to *New York* tho Comanded by her May^{tie} peremp^{torily}, are not Satisfactory, propose a Conference of Some of them wth Such Members of the house of Burgeffes as the house shall think fitt.

Ordred that the Clerk of the Gen^l Affembly do Carry the following Message to the house of Burgeffes.

By the Council

M^r Speaker & Gent of the house of Burgeffes

His Excell^y hauing laid [See J. of H. of B., p. 21.]

May

May the 2^d 1695

Present

MR Sec^r Wormley, Richard Lee, William Byrd, Chr Wormley, Edward Hill,
Edm^o Jennings, Hen Hartwell Esq^s

A Message from the house by Cap^t Kener &c^a

May it please yo^r Hon^{rs}

The House of Burgeffes being [See J. of H. of B., pp. 20-21.]

May 3^d 1695

Present

MR Sec^r Wormley, Richard Lee, William Byrd, Edward Hill, Edm^o Jennings
Hen: Hartwell, Chr: Wormley Esq^s

A Message from the house by Cap^t Ouseley &c^a desiring to know how many
of the Councill will meet att the Conference relating to the affittance of
New York and the tyme & place for the said Meeting. The Councill returned answer
that fouer of them would meet att Nine a Clock to morow Morning in the great Hall

By the Councill

Resolved

That a Conference be desired & held wth Such of the house of Burgeffes as shall be
Appointed upon the Subject Matter of that part of the Address of the Said house of
Burgeffes in Answer to his Ex^{ys} Speech as relates to their May^{ties} Comands for Affittance
of *New York*, and to the End the Managers who shall be Appointed by the Councill for
the Said Conference may be fully instructed from this Board in those Seuerall particulars
they may haue Occasion to make use of att the said Conference, *It is Ordered.*

That to the first reason laid down by the Said house of Burgeffes wherin they Say,
that by the tax or Imposition on tobacco this Countrey is made incapable of giuing
Affittance

It be Considered by the Managers that the tax on tobacco was Imposed by Act of
Parlament and not in this Cafe proper to be Complained of or Urged as a reason for not
Complying wth their May^{ties} Comands.

That to the Second reason of the said House of Burgeffes relating to the Charge
the Countrey hath been att in Menteyning Rangers.

It be Answered by the said Managers that the Charge is Inconsiderable to what
the Neighbouring Plantations *New England* and *New York* haue Expended this Warr,
the first aboue a hundred thousand pound & the other aboue thirty thousand pound,
whilst Prouidence hath been pleased to keep us free from any Show of hostillity, Except
that we for the discouery of an Enemy in Seasonable tyme thought itt necessary to
keep Eleauen Rangers & an Officer & two Indians att the heads of Each Riuer and some
tymes upon an Alarm to raise a few Additionall forces for a while.

That to the Other reason laid down by the 1st House of Burgeffes, Setting forth that
the Countrey has alway's born its own Charge and that forces placed att *New York*
can no Way tend to the Advantage or better Security of this Gouverm^t the Indians that
Infest itt being Nearer *Virginia* then *New York*.

It be Answered by the Managers, that it is forgot Since the King was aboue Sixty
thousand pound Charge to Affist the Countrey in the Year 1676 & that there is no
question but he will particularly direct from the Adjacent Plantacons Aid to this Gouver-
ment as there is Occasion and not be Sparing out of his Treasury to protect itt and
whether it be Aduantagious or not to *Virginia* to haue forces in *New York* According to
the Quota Sett, Sure itt is that the Prouince of *New York* being under distrefs and to
[too] Insupportable a Charge, moued their May^{ties} who being posselt wth their Condition,
directed a Quota to be Setled by Comiffioners from the Adjacent Colonys, of w^{ch} the
last Affemblem had an Account, and because nothing was therin don as Sure itt is, that
their

their May^{ties} haue Setled a Quota themfelues and Comanded our Obedience, and what Answer can be made to Euade performing the Royall Comand If the low Circumstances of the Countrey be pleaded, It is the only way to be obedient to the Utmost of Our Ability therby to make their May^{ties} Sencible of the true State of *Virginia* and to be Acquitted wth their May^{ties} good liking from performing the rest who no doubt hauing that testimony of Our Loyalty and Obedience, will be the more Graciously Inclined towards Us. If it be thought not to Concerne *Virginia* as hauing no Interest Joyned wth *New York* it is a mistake for this Assistance is not wanted for the Supporting or Caring on some perticular designs of the Inhabitants of *New York*, but for the Safety, Defence and Protection of one of their May^{ties} Prouinces from being taken by the french & *Canada* and Other Indians in Amity wth them, declared & powerfull Enemy's to the Crowne of *England*, and that Warr being Nationall all the Plantacons their May^{ties} haue in this part of the World Stand Mutually Obleiged to the Defence and protection one of Another, as one County of *England* does to another, And this Countrey would think it hard to be detroy'd by denyall of a litle help from the next Gouverment, And Whereas itt is said that the Northern Indians lyes nearer *Virginia* then *New York*, the Councill desire to be Informed, if a late discouerey therof, w^{ch} would be of great Seruice in that upon any Mischeife don they might be directly perfued.

Wherefore upon Consideraçon of the whole Case and the Danger *Virginia* will Ineuitably be Exposed to by the los of *New York* (w^{ch} God preuent) the french Coming So much Nearer us and hauing a good Port to Issue out Priuateers to pick up our Marchant Men.

The said Managers are directed to Acquaint the Burgeffes who shall be Appointed and meet to Confer

That it is the Opinion of the Councill that as their May^{ties} Comands & Significations of the distres of *New York* is possitiue, a ready Compliance will be seruiceable to the Countrey both in demonstrating Our Loyalty & Ingaging the Assistance of *New York* & other Colony's as Comanded when the Countrey shall haue like Occasion, and further that it may reasonably be hoped that upon the Obedience of this Countrey in this Affair, and an Address to their May^{ties} Setting forth the true State of *Virginia* this years Assistance may be Sattisfactory, and on more required and therefore its proposed, that for the Compliance of this Countrey, Either a Leuy be raised by the Poll, or an Imposition laid upon Liquors, wth Such limitations, restrictions & prouiso's as shall be Judged Necessary by the Gener^l Assembly for Securing the Same to this purpos if required, and if not to Such other Ufes only as the Gen^l Assembly shall think fitt from tyme to tyme to apply the Same

Signed by Order

Dat. May 3^d 1695

James Sherlock Cl Gen Ass^y

Vpon Consideraçon of the Address of the House of Burgeffes in Answer to the Second Paragraph of his Ex^{ty}s Speech for Setting forth a Veffell or Veffells to Cruise on the Coast to preuent Illegal traders. The Collect^{rs} of the Seuerall Riuers within this Colony are to make report to this Board pursuant to an Ord^r of Councill of the 6th of *Mar^{ch}* last and further Orders to be taken therein Accordingly

The Consideraçon of the third Paragraph Concerning the Maintenance of the Clergy, is refer'd to a Conference when the buifeness relating to *New York* is Ouer.

Vpon Reading the fourth Paragraph for the Incouragment and furtherence of the Colledge nothing to be don att present; Referred to further Consideraçon.

Vpon Consideraçon of the fifth Paragraph Concerning the Rangers; is refer'd till a Bill be presented from the house

Vpon Consideraçon of the last Paragraph for lessening the Levy by y^e Poll by laying an Imposition on Liquors Imported; refer'd till a Bill be presented from the house.

An Act Appointing how probates and Administrations shall be signed for the future read the first tyme.

An Act for Inlarging the bounds of Princefs Ann County read the first tyme

May

May the 4th 1695

Present

MR Sec^r Wormley, Richard Lee, William Byrd, Chr: Wormley, Edward Hill, Edm^o Jenings, Hen: Hartwell Esq^a
William Byrd. Edward Hill. Edm^o Jenings and Hen: Hartwell Esq^a are
Appointed to Manage the Conference relating to the Assistance of New
York wth the Burgeffes

The Conference referd till *tuesday* 9 a Clock

Cap^t Mafon &c^a present from the house the following Bills w^{ch} they haue passed &
desire the Concurrence of the Council

An A^t Appointing Rangers at the heads of the four great Rivers.

*An A^t for Reuiueing the 7th A^t of Affemblemade att James Citty the 16th day of
Aprill 1691 and for the Affcertaining the Size of Tobacco hogsheds.*

May 6th 1695

Present

MR Sec^r Wormley, Rich^d Lee, William Byrd, Chr: Wormley, Edward Hill, Edm^o
Jenings, Hen: Hartwell Esq^a

Cap^t William Randolph &c^a presents to the Council the Book of Claimes
& desire the Concurrence of the Council

M^r William Sherwood &c^a presents the ffollowing Bills w^{ch} the house haue passed &
desire the Concurrence of the Council

*An A^t Impowering James Citty County Court to make by Law's for restraining hogs
ruñing att large in James Citty*

May 7th 1695

Present

HIS Excell^y, M^r Sec^r Wormley, Richard Lee, William Byrd, Chr: Wormley, Edward
Hill, Edm^o Jennings, Hen: Hartwell Esq^a

An Address from the house of Burgeffes by Cap^t Batt &c^a to his Ex^y and
the Council

May it Please yo^r Ex^y and Hon^{rs}

It hauing been represented [See J. of H. of B., pp. 23-24.]

M^r Auditor Byrd Reports from the Conference relating to the Affaires of *New York*
that they met the Gent Appointed by the house of Burgeffes to Confer on that Subject,
where hauing fully debated the Matter According to the directions of the Council they
promissed to make a true report therof to the house.

An A^t Appointing Rangers att the heads of the fouer great Rivers read the first tyme

*An A^t for Reuiueing the 7th A^t of Affemblemade att James Citty the 16th day of
Ap^{ri} 1691 & for the Affcertaining the Size of tobacco hogsheds* read the first tyme

*An A^t Impowring James Citty County Court to make by Laws for restraining hogs
ruñing att large in James Citty* read the first tyme

May 8th 1695

Present

MR Sec^r Wormley, Richard Lee, William Byrd, Chr: Wormley, Edward Hill,
Edm^o Jenings Esq^a

Cap^t Soan &c^a presents from the house the two following Bills w^{ch} they
haue passed and desire the Concurrence of the Council

An A^t for lessening the Leuy by the poll and laying an Imposition upon Liquors

An A^t for diuiding of King & Queen County

Cap^t

Cap^t *Custis* &c^a Presents the following Bills from the house w^{ch} they haue passed and desire the Concurrence of the Councill

An Act Impowring the County Courts of Accomack & Northampton to make by Laws for the better restraint of unruly horses.

An Act for Inlarging the bounds of Princefs Ann Countey read the Second tyme

An Act for lessening the Leuy by the Poll and laying an Imposition upon Liquors read the first tyme.

May 9th 1695

Present

MR Sec^r Wormley, Richard Lee, William Byrd, Ch. Wormley, Edward Hill, Edm^o Jenings, Hen: Hartwell Esq^a

A Bill for Inlarging the bounds of *Princefs Ann* County read the third tyme and Affented to by the Councill

A Bill for lessening the Leuy by the Poll and laying an Imposition upon Liquors read the Second tyme and Amended.

Ordred that the Clerk of the Gen^l Affemblem do Cary the aboue bills wth the Amendment to the house of Burgeffes.

Cap^t *Story* &c^a presents to the Councill a Message from the house & returns the Bill for lessening the Leuy by the Poll and laying an Imposition upon Liquors.

By the House of Burgeffes

May it please yo^r Hon^{rs}

The House of Burgeffes this day taking into Consideraçon the Amendments proposed by yo^r Hon^{rs} to the Bill Entituled a Bill for lessening the Leuy by the Poll and laying an Imposition upon Liquors, haue Agreed to make the Duty of two pence fouer pence and to incert *Wales* & the town of *Barwick* upon *Tweed* according to yo^r Hon^{rs} proposition, but Cañot agre to Extend the tyme any longer for the Said Imposition to be in force then their Bill Exprefses, and therfore desire yo^r Hon^{rs} will please to giue yo^r Affent to the Bill when Amended, as is hereby proposed and Agreed upon by the House

By Ord^r of the house of Burgeffes

Peter Beauerly Clk of the house of Burgeffes

May the 9th 1695

May 10th 1695

Present

MR Sec^r Wormley, Richard Lee, William Byrd, Edward Hill, Edm^o Jenings, Hen: Hartwell Esq^a

Ordred that the Clerk of the Gen^l Affemblem do Carry the following Bills to the house of Burgeffes.

A Bill Appointing Rangers att the head of the fouer great Riuers, Affented to by the Councill.

A Bill for Reuiveing the 7th Act of Affemblem for Affcertaining the Size of tobacco hogfheads wth Amendments

A Bill Impowring *James Citty* County Court to make by Law's for restraining hogs runing att large in *James Citty* not Agreed to by the Councill

A Bill for lessening the Leuy by the Poll and laying an Imposition upon Liquors Affented to by the Councill, to the Agreed Amendments of the house of Burgeffes

A Bill for diuiding *King* and *Queen* County. Not Agreed to by the Councill

A Bill Impowring the County Courts of *Accomack* and *Northampton* to Make by Law's for the better restraint of Unruly Horfes. Not Agreed to by the Councill

May

May 11th 1695

Present

MR Sec^r Wormley, Richard Lee, William Byrd, Edward Hill, Edm^o Jenings
Hen Hartwell Esq^s

A Message from the Houfe by Cap^t Batts &c^a to the Councill wth two
Addreffes to their May^{ties} and a Copy of a Charter in 1675.

May itt please yo^r Hon^{rs}

The Houfe of Burgeffes hauing Agreed [See J. of H. of B., p. 31.]

A Message from the houfe by Maj^r Diggs &c^a wth the two following Bills to the
Councill

May itt please yo^r Hon^{rs}

The houfe of Burgeffes hauing Confidered [See J. of H. of B., p. 32.]

A Bill for Reuiueing the 7th A^{ct} of Affemblem for the Affcertaining the fize of tobacco
hogfheads

*An A^{ct} Impowering the Gouer with the Advice of the Councill to Apply five hundred
Pound Sterl out of the Impofition upon Liquors raifed this Affemblem to the Affiftance and
preferuation of New York if found Neceffary.*

By the Councill

Mr Speaker & Gent of the houfe of Burgeffes

Vpon Confidera^{con} of yo^r Written Message [See J. of H. of B., p. 33.]

By the Councill

Mr Speaker & Gent of the houfe of Burgeffes

Vpon Confidera^{con} of the third Paragraph [See J. of H. of B., p. 32.]

A Message from the houfe by Cap^t Cuftis &c^a to know how many of the Councill
will meet att the Conferences, Upon the Reuifall of the Law's and for the Maintenance
of the Clergy, the tyme and place for the Said Meeting. the Councill returned Anfwer
that fower of them would meet att 9 a Clock *Tuesday* Morning in the great Hall.

Mr Sec^r Wormley Edward Hill Edm^o Jenings and Hen Hartwell Esq^s are Appointed
to manage the Conference, relating to the Reuifall of the Laws and the Maintenance
of the Clergy.

May 14th 1695

Present

MR Sec^r Wormley, Edward Hill, Edm^a Jenings, Hen Hartwell Esq^s

Mr Sec^r Wormley reports from the Conference appointed on the Message
of the houfe of Burgeffes for the Reuifall of the Laws, that hauing difagreed
to the fifth propofition made by the houfe of Burgeffes of the Perfons
Appointed for the Said Reuifall, be Confidered & rewarded according to the difcretion of
the next Succeeding Affemblem, they propofed that the Allowance be now Affcertained
to the faid Gent and that the Gent Appointed Conferrees by the houfe of Burgeffes made
Anfwer, that they were not Impouered by the houfe to Agree but that they would make
report therof to the houfe.

Mr Sec^r Wormley reports from the Conference held wth the Burgeffes Appointed to
Confer on the third Paragraph in the Addrefs of the Houfe of Burgeffes to his Ex^{ty}
Speech for the better maintenance & incouragment of the Clergy.

That their May^{ties} Letter & Law of the Countrey were laid before the Conferrees
wth Seuerall reafons Urged and Strengthened and propofitions made that there might
be Allowance Either by Poll or a Certain Summ of tobacco ꝑ Anⁿ for their Encourag-
ment, but that they came to no refolution, for that the Conferrees Appointed by the
houfe had no directions therein butt promiffed to report itt to the Houfe

May

May 15th 1695

Present

HIS Excell^r, M^r Sec^r Wormley, William Byrd, Edm^o Jennings, Hen Hartwell,
Edward Hill Esq^s

A Message from the house by m^r Sherwood &c to the Council &c

May it please yo^r Hon^{rs}

The House of Burgeffes [See J. of H. of B., p. 35.]

Ordred that the Clerk of the Gen^l Affemblem do Carry the following Bills & Messages to the House of Burgeffes

A Bill Appointing how probates & Adminiftrations shall be signed for the future, not Agreed to by the Council

A Bill for Reuiuing the 7th Act of Affemblem for Affcertaining the Size of tobacco hogs heads. Agreed to by the Council.

A Bill Impowering the Gourth the Advice of the Council to apply five hundred pound *Sterl* out of the Imposition upon Liquors raised this Affemblem to the Affiftance and preferuation of *New York*. if Neceffary. Affented to by the Council

By the Council

M^r Speaker & Gent of the house of Burgeffes

Vpon a Bill [See J. of H. of B., p. 36.]

By His Ex^y and Council

M^r Speaker & Gent of the house of Burgeffes

In Answer to [See J. of H. of B., p. 36.]

This day the Book of Claimes being read att the Board.

Ordered that the Clerk of the Gen^l Affemblem do Carry back the Book of Claimes and the following Message to the House of Burgeffes.

By the Council

M^r Speaker & Gent of the house of Burgeffes

The Book of Claimes being Considered Wee do Agree to the same wth those Additions (*Viz*) that there be Allowed to M^r Secretary Wormley for twenty five Writts for Election of Burgeffes this Affemblem According to Law

And pay for the present Rangers According to Act of Affemblem

By Ord^r of the Council

May 15th 1695

James Sherlock Clk Gen^l Affm^r

A Message from the House by Cap^t Custis &c^a wth the Book of Claimes and the Additions made Agreed to by the Council

By the House of Burgeffes

Wheras m^r William Sherwood is allowed by this Affemblem thirty Seauen pound & ten shillings *Sterl* for the Council Chambers, One year & an halfe Ending the 15th day of *Aprill*

Resolved and Accordingly Ordered

That the Said Summⁿ of thirty Seauen pound and ten shillings *sterl* be paid unto the said William Sherwood out of the Money that shall next Arise from the Imposition upon Liquors, laid this Affemblem, after the five hundred pound *Sterl* Appointed for the Supply of *New York* shall be raised.

Ordred that this Refolue be Caryed to the Council for their Concurrence

Test Pet^r Beuerly Cl. H. of Burgeffes

May

May 16th 1695

Present

HIS Excell^y, M^r Sec^r Wormley, *Richard Lee, William Byrd, Edward Hill, Edm^o Jennings, Hen. Hartwell Esq^a*

M^r Chamberlain &c^a present from the House the following Bill w^{ch} the house of Burgeses have passed and desire the Concurrence of the Council

An Act for the Maintenance & Support of Ministers.

Ordred that the Clerk of the Gen^l Affemblem do Cary to the house of Burgeses the Refolue of the house of yesterday for paying M^r William Sherwood thirty seaven pounds ten shillings *Sterl* for rent of the Council Chamber Agreed to by the Council. And the Bill for the Maintenance & Support of Ministers wth the Amendments. And the following Message.

By the Council

M^r Speaker & Gent of the house of Burgeses

The Book of Claimes (returned [See J. of H. of B., p. 37.]

A Refolue from the house by m^r Sherwood &c^a wth the Bill for the Maintenance & Support of Ministers & an Address to their May^{ties}

May itt Please yo^r Hon^{rs}

The House of Burgeses [See J. of H. of B., p. 37.]

By the House of Burgeses

May 16th 1695

Refolued & Accordingly Ordred

That M^r Cope Doyly for his Attendance and reading prayers this Affemblem be paid the Sumⁿ of five pounds *Sterl* as it shall arise from the Imposition upon Liquors laid this Affemblem after the Money ordred m^r William Sherwood is raised and paid

Refolued & Accordingly Ordred

That M^r Samuell Eborn Clk. for his Attendance and reading Prayers this Affemblem, be paid the Sumⁿ of five pounds *Sterl* as itt shall Arise from the Imposition upon Liquors laid this Affemblem after the Money Ordred m^r William Sherwood is raised & paid

Tert

Pet: Beuerly Cl. Ho: Burgeses.

Ordred

that the Said Refolues be Caryed to the Council for their Concurrence

Tert. Petr Beuerly Clk. House of Burgeses

A Message from the house by Cap^t Randolph &c^a

May it please yo^r Hon^{rs}

The House of Burgeses Considering [See J. of H. of B., p. 39.]

By the Council

May 16th 1695

M^r Speaker & Gent of the house of Burgeses

In Answer [See J. of H. of B., p. 39.]

May 17th 1695

Present

MR Sec^r Wormley, *Richard Lee, William Byrd, Edward Hill, Edm^o Jennings, Hen: Hartwell Esq^a*

A Message from the house by m^r Walters &c^a

May it please yo^r Hon^{rs}

Vpon Consideracon of yo^r Hon^{rs} Message [See J. of H. of B., p. 39.]

Ordred that the Clerk of the Generall Affemblem do Carry the Refolues of yesterday to the house of Burgeses.

That

That Mr *Cope Doyly* for his Attendance and reading prayers this Affsembly be paid five pounds *Sterl.*

And Mr *Samuell Eborn* for his Attendance and reading prayers five pounds *Sterl*—
Affented to by the Cōuncill

and the Bill for the Maintenance and Support of Minifters. Not agreed to by the Councill, Except their Amendments be Added.

Gen^l Courthouse

Present

HIS Excell^y, Mr Sec^r *Wormley, Richard Lee, William Byrd, Edward Hill, Edm^o Jenings, Hen: Hartwell Esq^a*

Ordred that the Clerk of the Gen^l Affsembly do Acquaint the house of Burgeffes that His Ex^y Comānds their Imediate Attendance in the Gen^l Court house to pafs the Ingrofs'd Bills

ffor the Rangers. ffor enlarging *Princefs Ann* County. for the Imposition of fouer pence ☞ Gallon upon Liquors.

The five hundred pound Bill for the Affiftance of *New York* &c the Bill for the tare and fize of tobacco hogs heads

A Meffage from the house by Mr *Park* &c^a Acquainting his Excell^y that the Bills were Examining, and that the house will waite on his Excell^y Imediately

Ordred that the Clerk of the Gen^l Affsembly do Acquaint the house of Burgeffes, that they fend the Ingrofs'd Bills down to the Councill

Cap^t *Cuftis* &c^a brings the Ingroft Bills to the Councill w^{ch} being Examined by them

Ordred that the Clerk of the Gen^l Affsembly do Carry back the Ingroft Bills to the house and Acquaint them that his Ex^y Comānds their Imediate Attendance in the Gen^l Court house to pafs the faid Bills.

Mr *Speaker* and the house Attend His Ex^y Mr *Speaker* Acquaints his Ex^y that According to his Comānds they had brought the following Bills for his Excell^ys paffing

A Bill for Rangers att the heads of the fouer great Riuers. A Bill for Inlarging *Princefs Ann* County. A Bill for the Imposition of four pence ☞ Gallon upon Liquors

a Bill for five hundred pounds for the Affiftance of *New York*.

a Bill Affcertaining the tare & Sizes of tobacco hogfheads, w^{ch} bills being read His Excell^y was pleafed to pafs. and figned the faid Bills & then the Speaker

After the paffing of the faid Bills. His Ex^y did recomend to the house of Burgeffes what further Neceffary for their May^{ties} Seruice and the good of this their Colony & dominion of w^{ch} hoped their Suiteable regard in all respects.

Ordred that the Clerk of the Gen^l Affsembly do Carry the ffollowing Meffage to the Houfe of Burgeffes.

By the Councill

Mr *Speaker* & Gent of the house of Burgeffes

To yo^r Meffage [See J. of H. of B., p. 40.]

May 18th 1695

Present

MR Sec^r *Wormley, Richard Lee, William Byrd, Edward Hill, Edm^o Jenings, Hen Hartwell Esq^a*

A Meffage from the house by Cap^t *Cuftis* &c^a

By the house of Burgeffes

May it please yo^r Hon^{rs}

Vpon Confideracon of yo^r [See J. of H. of B., pp. 40-41.]

Ordred

Ordred that the Clk of the Gen^l Affem^y do Carry the following Anfwer to the Meffage of the houle of this day

By the Councill

M^r Speaker & Gent of the Houfe of Burgeffes

In Anfwer to yo^r Meffage [See J. of H. of B., p. 41.]

Ordred that the Clk of the Gen^l Affem^{bly} do Carry back the Addreffes wth the following Meffage to the Houfe of Burgeffes

By the Councill

M^r Speaker & Gent of the houfe of Burgeffes

In Anfwer to your laft Meffage [See J. of H. of B., p. 41.]

By the Councill

M^r Speaker & Gent of the houfe of Burgeffes

Wee haue Confidered [See J. of H. of B., pp. 41-42.]

Cap^t *Craford* &c brings the Book of proportions to the Councill

Ordred that the Clerk of the Gen^l Affem^{bly} do returne the Book of proportions to the Houfe Affented to by the Councill.

Cap^t *Cuftis* &c^a brings the following Bill from the Houfe

An A^{ct} for Raifing a publick Leuy, and Acquaints the Councill they had nothing more before them.

Ordred that the Clerk of the Gen^l Affem^{bly} do Carry the following Bill to the houle of Burgeffes and defire an Anfwer to the Meffages, for the Reuifall of the Law's & the Addreffes to their May^{ties}

An A^{ct} for Raifeing a publick Levy affented to by y^e Councill.

A Meffage from the Houfe by Cap^t *Armeftead* &c^a

May it please yo^r Hon^{rs}

The Houfe of Burgeffes hauing taken [See J. of H. of B., p. 42.]

Gen^l Court houle

Prefent

HIS Excell^y, M^r Sec^r *Wormley*, *Richard Lee*, *William Byrd*, *Edward Hill*, *Edm^o Jenings*, *Hen: Hartwell Elq^s*

Ordred that the Clerk of the Gen^l Affem^{bly} do fignifie to the Houfe of Burgeffes His Ex^y^s Comands that they Imediately Attend him in the Gen^l Court houle to pafs fuch Bills as Depend.

M^r *Speaker* and the Houfe Attend and M^r *Speaker* presents the Bill for raifing the publick Leuy w^{ch} his Ex^y was pleafed to pafs—and Signed the faid Bill, then the Speaker.

His Ex^y did then prorogue the Affem^{bly} to the laft of *O^{cto}r* next

James Sherlock Clerk of the Gen^l Affem^{bly}

AT A

GENERALL ASSEMBLY

begun at *James City* the 18th day of *Aprill* 1695 & thence continued by two Prorogations to the 23^d of *Aprill* in y^e eighth yeare of the Reigne of o^r Sovereigne Lord *William* by y^e Grace of God King of *England, Scotland, France, Ireland & Virginia* Defender of the ffaith &c. *Annoq³ Dom: 1696*

At a Generall Affsembly begun at *James City* the 18th day of *Aprill* 1695 & thence continued by two Prorogations to the 23^d of *Aprill* in y^e eighth yeare of the Reigne of o^r Sovereigne Lord *William* by y^e Grace of God King of *England, Scotland, France, Ireland & Virginia* Defender of the ffaith &c. *Annoq, Dom: 1696*

Aprill the 24th 1696

Present

HIS Excellency, M^r Secretary *Wormley*, Coll^l *Rich^d Lee*, Coll^l *W^m Byrd*, Coll^l *Ch^r Wormley*, Coll^l *Edw^d Hill*, Coll^l *Edm^d Jennings*, Coll^l *Dan^l Park*, Coll^l *Rich^d Johnson*, Coll^l *Charles Scarburgh*.

A Message from the house of Burgeffes by m^r *Carter* &c. Acquainting his Excellency that the house was met & attended his Excellencys Comands:

Ordered that a Comission be Prepared Appointing & Impowering Coll^l *Christopher Wormley* Coll^l *Park* & Coll^l *Scarburgh* to Administer the Severall Oaths to the new members of the house of Burgeffes.

Pursuant to his Excellencys Comission Coll^l *Christo^r Wormley* Coll^l *Dan^l Park* & Coll^l *Charles Scarburgh* went to the Gen^l Courte house & Administred the Oaths appointed by Act of Parliam^t to be taken instead of the Oathes of Allegiance & Supremacy (the Test) & the Oath of a Burgeffs to *Jo: Foster* of *New Kent County* & *Charles Goodrich* of *Charles City County* *Math^w Watts* of *Eliz^h City County* & to *Rich^d Whitaker* of *Warwick County*.

His Excellency was Pleased to Communicate his Speech to the Gentlemⁿ of the Councill & desired their Opinions therein w^{ch} they Unanimously approved of findeing nothing Wanting therein.

Gen^l Courthouse

Present

HIS Excellency, M^r Secret^y *Wormley*, Coll^l *Rich^d Lee*, Coll^l *W^m Byrd*, Coll^l *Xp^r Wormley*, Coll^l *Edw^d Hill*, Coll^l *Edm^d Jennings*, Coll^l *Dan^l Park*, Coll^l *Rich^d Johnson*, Coll^l *Charles Scarburgh*.

Ordered that the Clerk of the Gen^l Affsembly do Signifie to the house of Burgeffes his Excellencys Comands Imediately to Attend him in the Generall Courthouse where being come. His Excellency thus Exprest himselfe.

Gentlemen.

I doe not doubt all here, being very Sencible of Gods Continued Bleffings to his Ma^{ty} & Tranquility of this his Dominion.

I haue nothing now, or other to Say, or Offer to you then at out Laft meeting, when his Ma^{ty}s Comands & all elce necessary was recommended to you Since which the Govern^r of *New Yorke* has demanded the Quota of Assistance comanded by his Ma^{ty}.

But I must againe recomend to you *Gentlemen of the house of Burgeffes* the present & effectuall Consideraçon, of what is yet Wanting So recommended before, or his [is] necessary for his Ma^{ties} Service & Continued Welfare, Safety & Honor of this his Dominion & due regard to the Church & Colledge.

And

And hope all heartily joyning in our duty to God Almighty for his Bleffings as by a Late Proclamacon in this his Ma^{ty} Colony & Dominion.

James City Aprill 24th 1696

A Meffage from the houle of Burgeffes by m^r *Sherwood* &c praying a Copy of his Excellencys Speech.

Ordered that the Clerk of the Gen^l Aff^{ly} do Carry a Copy of his Excellencys Speech to the houle of Burgeffes.

Aprill the 26th 1696

Present

HIS Excellency, M^r Sec^y *Wormley*, Coll^l *Rich^d Lee*, Coll^l *W^m Byrd*, Coll^l *Xp^r Wormley*, Coll^l *Edw^d Hill*, Coll^l *Edm^d Jennings*, Coll^l *Dan^l Park*, Coll^l *Rich^d Johnson*, Coll^l *Charles Scarburgh*.

A Meffage from the houle by Cap^t *Randolph* &c.

Fryday Aprill 24th 1696

By the houle of Burgeffes

Ordered that M^r *Randolph* M^r *Diggs* M^r *Story* & m^r *Chamberlaine* at Some Convenient time waite upon his Excellency & pray his Excellency to Iffue out a new Writt for the Election of Burgeffes in *Ile of Wight* County in the Roome of M^r *Joⁿ Goodrick* dec^d A new Writt for the Election of a Burgefs in *Norfolk* County in the Roome of M^r *W^m Robinson* dec^d & a New Writt for the Election of a Burgefs in *Stafford* County in the Roome of M^r *Martin Scarlett* deceased who Since the Election made of him in y^e roome of Cap^t *Tho Owsley* now Sher^{ff} of y^e County of *Staff^d* is dece^d

Ordered that the Writts do iffue accordingly for y^e Election of Burgeffes for the *Ile of Wight* County for *Norfolk* County & for *Stafford* County.

Aprill the 28th 1696

Present

HIS Excellency, M^r Sec^y *Wormley*, Coll^l *Rich^d Lee*, Coll^l *W^m Byrd*, Coll^l *Xp^r Wormley*, Coll^l *Edw^d Hill*, Coll^l *Edm^d Jennings*, Coll^l *Dan^l Park*, Coll^l *Rich^d Johnson*, Coll^l *Charles Scarburgh*

A meffage from the Houfe to his Excellency by m^r *Sherwood* &c begging leave of his Excellency to know when the houle may Wait upon his Excellency, his Excellency appointed 3 a Clock in the Afternoone.

An Addrefs to his Excellency by y^e Speaker & the Whole houle.

To his Excellency S^r Edm^d Andros Kn^t his Ma^{ty} Leiu^t & Governor Generall of Virginia.

The humble Addrefs of the house of Burgeffes.

May it Please yo^r Excellency.

Wee his Ma^{ty} moft dutifull [See J. of H. of B., 1695-1702, pp. 49-50.]

Aprill the 29th 1696

Present

HIS Excellency, M^r Secretary *Wormley*, Coll^l *Rich^d Lee*, Coll^l *W^m Byrd*, Coll^l *Xp^r Wormley*, Coll^l *Edw^d Hill*, Coll^l *Edm^d Jennings*, Coll^l *Dan^l Parke*, Coll^l *Rich^d Johnson*, Coll^l *Charles Scarburgh*.

Ordered that the Clerk of the Generall Affembly do Carry his Excellencys Anfwer to the addrefs of the houle of Burgeffes of Yefterday.

By his Excellency.

M^r Speaker & Gentlemen of the House of Burgeffes

I have Comūicated [See J. of H. of B., pp. 50-51.]

An

An Addrefs of the houle of Burgeffes to his Excellency by m^r Carter &c

By y^e Houfe of Burgeffes

May it please yo^r Excellency,

His Ma^{ties} dutyfull & Loyall Subjects [See J. of H. of B., p. 51.]

The Addrefs of the Houfe of Burgeffes to his Excellency of this day his Excellency recommended to the Councill for their Confideraçon & Advifed [Advice] thereon

Aprill the XXXth 1696

Present

HIS Excellency, M^r Sec^y Wormley, Coll^l Rich^d Lee, Coll^l W^m Byrd, Coll^l Xp^r Wormley, Coll^l Edm^d Jennings, Coll^l Dan^l Park, Coll^l Rich^d Johnson, Coll^l Charles Scarburgh

Ordered that the Clk of the Gen^l Aff^{ly} do carry his Excellencys anfwer to the Reply of y^e Houfe of Burgeffes of Yefterday.

By his Excellency

M^r Speaker & Gentlemen of the houfe of Burgeffes

His Excellency yefterday Laid [See J. of H. of B., p. 52.]

An Addrefs from the houle of Burgeffes by Cap^t Randolph &c

By the houfe of Burgeffes.

May it Please yo^r Excellency

Wee his Ma^{ties} moft dutyfull [See J. of H. of B., p. 52.]

His Excellency laid the Addrefs of the houle of this day before the Councill & defired their Advice Thereupon who upon Confideraçon of the Whole Matter are of Opinion that a Recefs be Granted.

May the 1st 1696

Present

HIS Excellency, M^r Sec^y Wormley, Coll^l Rich^d Lee, Coll^l W^m Byrd, Coll^l Xp^r Wormley, Coll^l Edm^d Jennings, Coll^l Dan^l Park, Coll^l Rich^d Johnson, Coll^l Charles Scarburgh.

Ordered that the Clerk of the Gen^l Aff^{ly} Signifie His Excellency Comands to the houle of Burgeffes that they Imediately attend His Excellency in the great Brick-houfe, Where being come his Excellency thus Said
Gentlemen

Finding the Diftemper of the Small Pox is much feared & no other bufinefs neceffary to be difpatched at this time, I doe Prorogue this Generall Affembly to the XXIXth day of *October* next.

James Sherlock Cl. Gen^l Affem^r

AT A

GENERALL ASSEMBLY

begun at *James City* the 24th day of *September* in the Eighth
year of the Reign of our Sovereign Lord *William* the third
of *England Scotland France Ireland &c* King defender of the
faith, *Annoq, Dom 1696*

At a Generall Affembly begun at *James City* the 24th day of
September in the Eighth year of the Reign of our Sovereign
Lord *William* the third of *England Scotland France Ireland*
&c King defender of the ffaith, *Annoq, Dom* 1696

[*September* 24th 1696.]

Present

HIS Excellency Sr *Edmond Andros* Kn^t Govern^r &c, *Ralph Wormeley*, *William Byrd*, *Christop^r Wormeley*, *Edmond Jenings* Esq^{rs}
Ordered that a Comiffion be prepared to impower *William Byrd*, *Christo-
pher Wormeley* & *Daniel Parke* Esq^{rs} or any two of them to adminifter the
oaths & Teft to the Elected members of the Houfe of Burgeffes as Ufual

Post Meridiem

Present

HIS Excellency Sr *Edmond Andros* Kn^t Govern^r &c, *Ralph Wormeley*, *William Byrd*, *Christop^r Wormeley*, *Edmond Jenings* Esq^{rs}
Ordered that the Clerke of the General Affembly go to the Houfe of
Burgeffes and Acquaint them that his Excellency Comands their imediate
Attendance in the Court Houfe where they being come,
His Excellency told them, he was verry glad to See fo good an Appearance this
firft day of the Affembly and Comanded them to go back to their Houfe and make
Choice of their Speaker

September 25th 1696

Present

HIS Excellency Sr *Edmond Andros* Kn^t Governor &c, *Ralph Wormeley*, *William Byrd*, *Christop^r Wormeley*, *Edmund Jenings* Esq^{rs}
A Meflage from the Houfe of Burgeffes by m^r *Benj^a Harrifon* &c Acquaint-
ing his Excellency that in Obedience to his Excellency's Comands the Houfe
of Burgeffes had made choice of their Speaker

Generall Court Houfe

Present

HIS Excellency Sr *Edmond Andros* Kn^t Governor &c., *Ralph Wormeley*, *William Byrd*, *Christop^r Wormeley*, *Edmond Jenings*, *Daniel Parke* Esq^{rs}
Ordered that the Clerke of the Generall Affembly go to the Houfe of
Burgeffes and Acquaint them his Excellency Comands their Attendance in
the Generall Court Houfe.

The Houfe of Burgeffes wait upon his Excellency in the Court Houfe and M^r
Robert Carter Acquaints his Excellency that the Houfe of Burgeffes had made choice
of

of him for their Speaker, and haveing made a Speech difableing himfelfe, was confirm'd by his Excellency, and then prayed that what priveledges that Houfe have ufually had or Ought to enjoy might be continued and Confirmed to them, which his Excellency Accordingly granted and then made a Speech and is as as ffolloweth.

Gent.

I do not doubt [See J. of H. of B., 1695-1702, p. 59.]

September 28th 1696

Present

HIS Excellency S^r *Edmond Andros* Kn^t Governor &c., *Ralph Wormeley*, *William Byrd*, *Christop^r Wormeley*, *Edmond Jenings*, *Daniel Parke* Esq^{rs}

A meffage from the Houfe of Burgefles by M^r *John Taylor* &c praying his Excellency to Appoint a meffinger to Attend the Houfe of Burgefles

Ordered that a Comiffion be prepared Appointing m^r *John Chiles* his Majefties Meffinger to attend the Houfe of Burgefles

A meffage

ffrom the Houfe of Burgefles by Coll^o *Ifaac Allerton* &c prefenting an Addrefs to his Excellency in thefe words

To his Excellency [See J. of H. of B., pp. 63-64.]

Ordered

That the Clerke of the Generall Affembly carry the ffollowing anfwer to the addrefs of the Houfe of Burgefles, and the Account of Arnⁿition and Stores of warr, with the Kings and Councils Letters defired

By his Excellency

M^r Speaker & *Gent of the Houfe of Burgefles*

Upon your addrefs of this day I have by advice in Council Appointed *Tuesday* next for a Day of thanksgiving and prayers to be kept by this Generall Affembly

Sign'd

E Andros

29th Septemb^r 1696

October 2^d 1696

Present

HIS Excellency S^r *Edmond Andros* Kn^t Governor &c, *Ralph Wormeley*, *William Byrd*, *Christop^r Wormeley*, *Edmund Jenings*, *Daniell Parke* Esq^{rs}

A meffage to the Council

ffrom the Houfe of Burgefles by M^r *John Withers* &c defireing a conference with Some of the Council about that part of his Excellencys Speech which relates to the Secureing of Arnⁿition and Stores of warr on the ffrontiers Sea & Land for the better defence of the Countrey, and that the Council pleafe to appoint a time and place.

Ordered

That the Clerk of the Generall Affembly go to the Houfe of Burgefles and Acquaint them that they have Considered their Meffage for a Conference upon that part of his Excell^{cy}s Speech which relates to Secureing the Arnⁿition &c and defence of the ffrontiers, and that in anfwer thereto they have Appointed three of them to conferr with Such of the Houfe as fhall be Appointed to meet them in the great Hall on *Monday* next four a Clock in the afternoon

Edward Hill, *Edmund Jenings*, and *Daniel Parke* Esq^{rs} are Appointed to Maⁿage the Conference Appointed to be had with Some members of the Houfe of Burgefles on *Mondav* Next.

Monday

Monday October 5th 1696

Present

HIS Excellency S^r *Edmond Andros Kn^t Governor &c., Ralph Wormeley, William Byrd, Christop^r Wormeley, Edmond Jenings, Daniel Parke Esq^{rs}*
A Message

ffrom the House of Burgeffes by Coll^o *Iaac Allerton &c* presenting the following bills which they had passed, and desiring the Concurrence of the Council
Viz^t

A Bill for repealing the prohibition of planting tobacco after the last day of *June* Annually.

A bill for altering the Court day's in *Accomack* County

A bill giving a reward to Indians for Killing of Wolves

A bill for Ascertaining the rate & vallue which money Shall pass at

A message to his Excellency & Council by M^r *John Giles [Chiles or Childs]* &c presenting an Address *Viz^t*

To his Excellency S^r Edmond Andros Kn^t his Maj^s Lieu^t and Governor Generall of Virginia, and the Hon^{ble} Council of State.

The humble Address of the House of Burgeffes.

May it please yr Ex^{cy} & Honor^s

Whereas it is represented [See J. of H. of B., p. 71.]

October 7th 1696

Present

HIS Excellency S^r *Edmond Andros Kn^t Governor &c, William Byrd, Christop^r Wormeley, Edward Hill, Edmund Jenings, Esq^{rs} M^r Comissary Blair.*
Ordered

That the Clerk of the Generall Assembly carry the following answer to the House of Burgeffes address concerning the taking up of Land on the South Side the *Blackwater* Swamp. *Viz^t*

By his Excellency & Council

M^r Speaker & Gent of the House of Burgeffes

In answer to your Message relating to takeing vp Lands on the South Side of *Blackwater* Swamp, all due regard will be had therein as occasion

(Sign'd) By ord^r of His Ex^{cy} & Council

7th October 1696

R. Beverley Cl. Gen Assembly

Post Meridiem

Present

WILLIAM BYRD, *Christop^r Wormeley, Edward Hill, Edmond Jenings Esq^{rs}, James Blair Comissary*

A bill for repealing the prohibition of planting tobacco after the last day of *June* Annually, read the first time, & ordered A Second reading

A bill for altering the Court days in *Accomack* County, read the first time, and Ordered a Second reading

A bill giving reward to Indians for Killing of wolves read the first time, and Ordered a Second reading.

A bill for Ascertaining the rate & vallue which money Shall pass at, read the first time & Ordered a Second reading

Coll^o *Hill* &c reports from the Conference that he had Acquainted the Conferrees from the House of Burgeffes of his Excellencys desires concerning the frontiers and that they were very well Satisfied therewith and Said they would report the Same to the House.

October

October 8th 1696

Present

WILLIAM BYRD, *Christop^r Wormeley, Edward Hill, Edmund Jenings Esq^{rs}, James Blair Comiffary, Dan^t Parke Esq^r*

A bill for repealing the prohibition of planting tobacco after the last day of *June* Annually read the Second time, and Ordered to be read the third time

A bill for altering the Court days in *Accomack* County read the Second time, & Ordered a third reading.

A bill giving reward to Indians for killing of wolves read the Second time, & Ordered a third reading.

A bill for Ascertaing the rate and vallue which money fhall pafs at, read the Second time, and Ordered a third reading.

October 9th 1696

Present

WILLIAM BYRD, *Christop^r Wormeley, Edward Hill, Edmund Jenings Esq^{rs}, James Blair Comiffary, Daniel Parke Esq^r*

A bill for repealing the prohibition of planting tobacco after the last day of *June* Annually read the third time and with Some Amendments Affented to.

A bill for altering the Court days in *Accomack* County read the third time and Affented to.

A bill giving reward to Indians for killing Wolves read the third time and with Some Amendments Affented it.

Ordered

That the Clerk of the Generall Affembly carry the Said bills with the Amendments to the Houfe of Burgefles

A bill for punifhment of fornication & Severall other Sins and offences read the firft time, & Ordered a Second reading

A bill for divideing *King* and *Queen* County read the firft time, and Ordered a Second reading.

A bill for the Support and Maintenance of the Clergy, read the firft time, and Ordered a Second reading.

October 10th 1696

Present

WILLIAM BYRD, *Christop^r Wormeley, Edward Hill, Edmund Jenings Esq^{rs}, James Blair Comiffary.*

His Excellency laid before the Councill a paper given him late laft night by M^r Comiffary entitull'd an *Ad* for facilitating the payment of the *Donations already made to the Colledge of William and Mary in Virginia* which being Confidered by the Councill, they find it not regular, nor According to the Ufual proceedings, It is therefore referred till *Monday* next, for M^r Benjamin Harrison Jun^r to appear who is alledg'd by M^r Comiffary to be the drawer thereof and by him desired to be heard therein.

A bill for punifhment of fornication and Severall other Sins and Offences read the Second time

A bill for Divideing *King* and *Queen* County read the Second time

A bill for the Support & Maintenance of the Clergy read the Second time

A Meffage from the Houfe of Burgefles by *William Byrd Jun^r Esq^r &c* presenting the two ffollowing Bills which they had pafs'd and desired the Concurrence of the Councill in *Viz^t*

A bill for Ascertainning the place where the Court of *York County* Shall be kept.

A bill for Ascertainning the Gage of Pork tarr & other Barrills.

A meffage from the Houfe of Burgefles by *W^m Byrd Jun^r Efqr* &c prefenting for the Councill view the two ffollowing bills with the Amendments made by the Councill agreed to by the Houfe of Burgefles, and made in the Said bills *Viz*^t

A bill for repealing the prohibition of planting tobacco after the laft day of *June* Annually.

A bill giving a reward to Indians for killing of Wolves.

October 12th 1696

Preſent

RICHARD LEE, *William Byrd, Chriſtopher Wormeley, Edward Hill Efqr^s*
A Meffage from the Houfe of Burgefles by *William Byrd Jun^r Efqr* &c. prefenting the ffollowing bills which they had paſs'd and defire the concurrence of the Councill in *Viz*^t

A byll for impoſeing penalties vpon the non appearance of evidences

A byll declaring how long Judgements & Specialties ſhall be pleadable.

A bill for alteration of inconvenient roads

A bill for Ascertainning damages vpon Appeales

October 13th 1696

Preſent

RICHARD LEE, *William Byrd, Chriſtop^r Wormeley, Edward Hill, Edmund Jennings, Daniell Parke Efqr^s*

The following bills were read the firſt time *Viz*^t

A bill for Ascertainning the place where the Court of *York County* Shall be kept

A bill for Ascertainning the Gage of Pork Tarr, & other bills [barrels]

A bill for impoſeing penalties vpon the non Appearance of evidences.

A bill declaring how long Judgements and Specialties Shall be pleadable

A bill for the alteration of inconvenient Roads, &

A bill for Ascertainning damages vpon Appeales,

The paper entituled *an Act for facilitating the payment of the Donations already made to the Colledge of William & Mary in Virginia*, being referred from *Saturday* till *Monday* that *Mr Benj^s Harrifon Jun^r* might be here, and *Mr Comiffary Blair* who prefented the Same nor the Said *Harrifon* not being in town, It was not then called & being now again read, It is further referred that the Said *Harrifon* may be heard or till *Mr Comiffary* come.

The bill for Ascertainning the rate and vallue which Money Shall paſs at being read the third time is not Affented to.

The bill for divideing *King* and *Queen* County being read the third time, is not Affented to.

The bill for repealing the prohibition of planting tobacco after the laft day of *June* Annually, and the Bill giving reward to Indians for Killing Wolves being return'd Amended and affented to by the Houfe of Burgefles According to the Amendments in Councill

Ordered

That the Clerk carry the Said four bills to the Houfe of Burgefles

The bill for puniſhment of ffornication and Severall other Sins and offences, &

The bill for the Support and Maintenance of the Clergy *Mr Comiffary Blair* not being here are referred.

October

October 14th 1696

Present

RICHARD Lee, W^m Byrd, Christop^r Wormeley, Edward Hill, Edmund Jenings Esq^{rs}, James Blair Comiffary, Danⁱ Parke, Charles Scarborough Esq^{rs}

Mr Comiffary Blair desires to withdraw the paper which he put in on fryday night last Entituled an *Act for facilitateing the payment of the donations already made to the Colledge of William and Mary in Virginia* Which is Accordingly granted.

Upon the petition of *Benjamin Harrison* and *William Randolph* two of the trustees for the College of *William & Mary in Virginia*, leave is given them to bring in a bill for facilitating the payment of the donations already made to the Said College.

October 15th 1696

Present

RICHARD Lee, Christop^r Wormeley, Edward Hill, Edmund Jenings Esq^{rs}, James Blair Comiffary, Daniel Parke, Charles Scarborough Esq^{rs}

The Six following bills were read the Second time *Viz*

A bill for Ascertaining the place where the Court for *York County* Shall be kept

A bill for Ascertaining the Gage of Pork tarr & other barrills

A bill for imposer penalties Vpon the non appearance of Evidences

A bill declaring how long Judgements & Specialties shall be pleadable

A bill for the Alteration of inconvenient Roads &

A bill for Ascertaining of Damages Vpon appeal's, and Ordered to be read a third time

William Randolph and *Benjamin Harrison* two of the trustees for the College of *William and Mary in Virginia* According to leave given them yesterday presented a bill for payment of the Donations already made to the Said College which was read the first time & Ordered a Second reading.

A Message from the House of Burgeses by Mr *John Taylor &c* presenting two bills which the house had passed, and desired the Concurrence of the Councill in *Viz*

A bill for prevention of Clandestine Marriages &

A bill for Ascertaining what Shall be Sufficient proof to Letters of Attorney.

A Message from the House of Burgeses by *William Byrd Jun^r Esq^r &c* presenting two bills which the house had passed and desire the Concurrence of the Councill in *Viz*

A byll for Erecting and building of pounds in the Counties of *Accomack* and *Northampton* &

A bill for the better Supply of the Country with Armes and Ammunition

October 16th 1696

Present

RICHARD LEE, W^m Byrd, Christop^r Wormeley, Edward Hill, Edmund Jenings Esq^{rs}, James Blair Comiffry, Danⁱ Parke, Char: Scarborough Esq^{rs}

The bill for prevention of Clandestine Marriages read the first time and Ordered a Second reading

The bill for Ascertaining what shall be Sufficient prooffe to Letters of Attorney read the first time and Ordered a Second reading.

The bill for Erecting & building of Pounds in *Accomack* and *Northampton* read the first time & Ordered a Second reading

The bill for the better Supply of the Country with Arm's and Ammunition, read the first time and Ordered a Second reading.

The

The bill for punishment of fornication and Severall other Sins and offences read the third time & with Some Amendments Agreed to

The bill for the Support and Maintenance of the Clergy read the third time and with Some Amendments agreed to.

The bill for Ascertainning the place where the Court of *York* County shall be kept read the third time & agreed to.

Ordered that the Clerke of the Generall Affembly carry the Said three bills, with the amendments to the House of Burgeses.

A bill for facilitating the payment of the Donations to the College of *William* and *Mary* in *Virginia*, read the Second time, and Ordered to be read the third time.

The bill for Ascertainning the Gage of Pork Tarr and other Barriells, read the third time and Severall Amendments Ordered to be made in the Said bill.

October 17th 1696

Present

RICHARD LEE, *William Byrd, Christop^r Wormeley, Edward Hill, Edmund Jenings Esq^r, James Blair Comiffary, Danⁱ Parke, Charles Scarborough Esq^r*

The Amendments made by Order of Yesterday to the bill Ascertainning the Gage of Porke Tarr and other barrells, were read and the Said bill agreed to with the Said Amendments.

The bill for imposer penalties Vpon the Non-appearance of Evidences, was read the third time and Agreed to.

The bill declaring how long Judgements and Specialties shall be pleadable, read the third time and Agreed to.

The bill for the alteration of inconvenient roads, was read the third time, & rejected

The bill for Ascertainning of Damages Vpon appeales was read the third time and Agreed to.

Ordered

That the Clerk of the Generall Affembly carry the Said five bills with the Amendments to the House of Burgeses

A Message from the House of Burgeses by Mr *William Leigh* &c presenting the bill for punishment of fornication and Severall other Sins and Offences with the amendments proposed by the Councill inserted in the Said bill by the House, which being viewed by the Councill the Said bill with Said Amendments was agreed to.

Ordered

That the Clerk of the Generall Affembly return the Said bill to the House of Burgeses

A bill for prevention of Clandestine Marriages read the Second time and Ordered a third reading.

A bill for Ascertainning what Shall be Sufficient proove to Letters of Attorney read the Second time and Ordered A third reading

A bill for Erecting and building of Pounds in the Counties of *Accomack* and *Northampton* read the Second time and Ordered a third reading

A bill for the better Supply of the Country with Armes & Amunition read y^e Second time & ordered a third reading

A bill for facilitating the payment of the Donations to the College of *William* and *Mary* is referred to be read the third time on *Monday*, Mr *Comiffary* not haveing Shewed the breiffs or Charter as desired before now.

A message to his Excellency by Mr *William Leigh* &c presenting an Addrefs from the House of Burgeses

A message to the Councill by Mr *William Randolph* &c presenting two bills which the House of Burgeses had passed and desire the concurrence of the Councill in *Viz*

A bill appointing Rangers at the heads of the great Rivers &

A bill for prevention of Mischiefs from the *Maryland* Indians hunting in *Virginia*.

A message to the Council by *William Randolph Esq* &c desiring a Conference with Some of the Council upon the Amendments proposed to the bill for the Support and Maintenance of the Clergy

Ordered

That in answer thereto, the Clerk of the Generall Assembly go to the House of Burgesses and Acquaint them that three of the Council are Appointed to meet Such as Shall be Appointed by the House of Burgesses to confer with them as aforesaid on *Monday* next four a Clock in the afternoon in the great Hall.

Monday October 19th 1696

Present

RICHARD LEE, *William Byrd, Christop^r Wormeley, Edmund Jenings, Charles Scarburgh Esq^a*

Richard Lee, Edmund Jenings & Charles Scarburgh Esq^a are Appointed to Manage the Conference Appointed this afternoon Upon the Amendments proposed to the bill for the Support and Maintenance of the Clergy

A message from the House of Burgesses by Coll *Isaac Allerton &c* Presenting a bill for regulating and ascertaining County Court Clerks fees, which the House had passed and desire the Concurrence of the Council in

Tuesday October 20th 1696

Present

RICHARD LEE, *William Byrd, Christop^r Wormeley, Edward Hill, Edmund Jenings Esq^a, James Blair Comiss^r, Danⁱ Parke, Charles Scarburgh Esq^a*

The bill for facilitating the payment of the Donations to the College of *William and Mary* in *Virginia* being read the third time and the question put whether it Should pass as it is, it passed in the Negative & the question being put whether it Should be Amended it passed also in the Negative

A bill for prevention of Clandestine Marriages read the third time and with Some Amendments agreed to.

A bill for Ascertaining what Shall be Sufficient proove to Letters of Attorney read the third time and with Some Amendments agreed to.

A bill for Erecting and building of pounds in the Counties of *Accomack* and *Northampton*, read the third time and with Some Amendments Agreed to.

Ordered

That the Clerk Carry the Said three bills to the House of Burgesses

A bill for the better Supply of the Country with Arm's and Ammunition read the third time and referred again to be again considered to Morrow Morning

A bill for Ascertaining the Gage of pork tarr and other barrells, with the Amendments proposed by the Council inserted in the Said bill and Agreed to by the House of Burgesses being Viewed by the Council, the Said bill with the Said Amendments are Affented to, & Ordered that the Clerk return the Said bill to the House of Burgesses

A bill appointing Rangers, at y^e heads of y^e four great Rivers, read y^e first time & ordrd a 2^d reading.

A bill for prevention of Mischiefs from the *Maryland* Indians hunting in *Virginia*, read the first time and Ordered a Second reading

A bill for regulating and Ascertaining County Court Clk's fees read the first time and Ordered a Second reading.

October

October 21th 1696

Present

RICHARD LEE, William Byrd, Chr: Wormeley, Edward Hill, Edmund Jenings Esq^{rs}, James Blair Comiss^{rs}, Dan^t Parke, Charles Scarburgh Esq^{rs}

A Message from the House of Burgeffes by *Isaac Allerton &c* presenting the book of publick claimes which they had passed and desired the Concurrence of the Councill &

A bill for prevention of Clandestine Marriages with the Amendments proposed by the Councill inserted in the Said bill and Agreed to by the House of Burgeffes.

Resolved that a message be Sent to the House of Burgeffes on the Subject matter of Amendments proposed to the bill for Support and Maintenance of the Clergy and Ordered that *Edward Hill* and *Edmund Jenings* Esq^{rs} prepare the Same.

October 23th 1696

Present

RICHARD LEE, William Byrd, Chris Wormeley, Edward Hill, Edmund Jenings Esq^{rs}, James Blair Comiss^{rs}, Dan^t Parke, Char: Scarburgh Esq^{rs}

A Message from the House of Burgeffes by *Isaac Allerton* Esq^r &c returning the bill for the Support and Maintenance of the Clergy with the Amendments, to which the House of Burgeffes have Agreed, Except the word [Sixteen] instead of the word [fourteen] In which they do adhere to the former vote of their House.

Edward Hill and *Edmund Jenings* Esq^{rs} having prepared a Message to the House of Burgeffes on the Amendments proposed to the bill for Support and Maintenance of the Clergy which being read and approved of

Ordered

That the Clerk of the General Assembly carry the Said bill to the House of Burgeffes and the Said Message which is as followeth.

By the Councill

Mr Speaker & Gent. of the House of Burgeffes.

His Excellency having been pleased [See J. of H. of B., p. 93.]

A bill for the better Supply of the Country with Armes and Ammunition is Comitted to *Christopher Wormeley & Daniel Parke* Esq^{rs} to consider of fit amendments to be made thereon, and report tomorrow Morning.

A bill Appointing Rangers at the heads of the four great Rivers read the Second time & Ordered a third reading.

A bill for prevention of Mischiefs from the *Maryland* Indians hunting in *Virginia*, read the Second time & Ejected

A bill for regulateing and Ascertainning County Court Clerks fees read the Second time & Ordered a third reading

A message from the House of Burgeffes by *William Randolph* Esq^r &c presenting the bill for the Support & Maintenance of the Clergy with the Amendments as proposed at the conference inserted in the Said bill by the House of Burgeffes, which being Viewed by the Councill is agreed to.

October 24th 1696

Present

WILLIAM BYRD, Christop^r Wormeley, Edward Hill, Edmond Jenings Esq^{rs}, James Blair Comiss^{rs}, Daniel Parke, Charles Scarburgh Esq^{rs}

Christopher Wormeley & Daniel Park Esq^{rs} report the bill for the better Supply of the Country with Arm's & Ammunition with Severall Amendments to be made hereto, which being read, are agreed to.

A bill Appointing Rangers at the heads of the four great Rivers being read the third time is agreed to with Some Amendments.

A bill for prevention of Clandestine Marriages with the Amendments propofed by the Councill inferted and Agreed to by the Houfe of Burgefles, is Affented to
Ordered

That the Clerk of the Generall Affembly carry the Said three bills with the Amendments, and the bill for the better Support and Maintenance of the Clergy, and the bill for the prevention of Mifchiefs from the *Mary Land* Indians hunting in *Virginia* to the Houfe of Burgefles.

A bill for regulateing and Afcertaining County Court Clerks fees is Comitted to *Edward Hill* and *Charles Scarburgh* Efqr^s to confider of fitt Amendments to be made thereto & report on *Monday Morning*.

October 26th 1696

Present

WILLIAM BYRD, *Christop^r Wormeley, Edward Hill, Edmund Jenings* Efqr^s,
James Blair Comiff^{ry}, Daniel Parke, Charles Scarburgh Efqr^s

A Meffage from the Houfe of Burgefles by M^r *W^m Baffett* &c prefenting the bill for Appointing Rangers at the heads of the four great Rivers, and Saying that the Houfe do Adhere to the Said bill as it was before paffed in the Houfe & pray the concurrence of the Councill

October 27th 1696

Present

WILLIAM BYRD, *Christop^r Wormeley, Edward Hill* Efqr^s, *James Blair* Comiff^{ry}, *Danⁱ Parke, Charl: Scarburgh* Efqr^s

A Bill for regulateing and Afcertaining County Courts Clerks fees, is Agreed to.

The Book of publick claimes being read, Some Amendments and Additions were made, &

Ordered

That the Clerk of Generall Affembly carry the Said Bill, and Book of Claimes with the Amendments to the Houfe of Burgefles.

A Meffage from the Houfe of Burgefles by *William Randolph* Efqr &c prefenting the Book of Claimes with Severall Additions made thereto, by the Houfe & prayed the concurrence of the Councill, which being Confidered, and one of the Said additions not thought Sufficient, the following Meffage was written

By the Councill

M^r Speaker & Gent of the Houfe of Burgefles.

Upon confideration of your allowance [See J. of H. of B., p. 96.]

A bill for Appointing Rangers at the heads of the four great Rivers is Agreed to.

Ordered

That the Clerk of the Generall Affembly carry the Said Written Meffage with the Book of Claimes, & the Said Bill to the Houfe of Burgefles

October 28th 1696

Present

RICHARD LEE, *William Byrd, Chr: Wormeley, Edward Hill, Edmund Jenings* Efqr^s, *James Blair Comiff^{ry}, Danⁱ Park, Char: Scarburgh* Efqr^s

A Meffage from the Houfe of Burgefles by M^r *John Thompson* &c bringing the Book of Claimes again with a written refolve of the Houfe in thefe words
May it please yo^r Hono^{rs}

The Houfe of Burgefles [See J. of H. of B., p. 96.]

And

And further acquainting the Councill that there was Nothing now lay before the Houfe

The Said Meffage being Confidered

Ordered

That the Clerk of the Generall Affembly return the Book of Claimes, with the following Meffage.

By the Councill

Mr Speaker & Gent of the Houfe of Burgefles

We have confidered [See J. of H. of B., p. 96.]

A Meffage from the Houfe of Burgefles by Cap^t *Michael Sherman* &c prefenting again the Book of Claimes with A written Meffage in thefe words

May it please yo^r Hono^{rs}

The Houfe of Burgefles [See J. of H. of B., pp. 96-97.]

Which Meffage being confider'd, & the Said Amendment of twenty pounds made in the Book of Claimes it is a Agreed to.

Ordered

That the Clerk of the Gen^l Affembly return the Book of Claimes to the Houfe of Burgefles and Acquaint them the Councill expects they Send them the roll of bills which are paf for their perufall

October 29th 1696

Present

RICHARD LEE, *William Byrd, Chriftop^r Wormeley, Edward Hill, Edmund Jenings Efqr^s, James Blair Comiff^r, Charles Scarburgh Efqr*

A Meffage from the Houfe of Burgefles by M^r *William Leigh* &c prefenting the Roll of Bills which were paf, for the Councills View.

October 30th 1696

Present

RICHARD LEE, *William Byrd, Chr Wormeley, Edward Hill, Edmund Jenings Efqr^s, James Blair Comiff^r, Charles Scarburgh Efqr*

A Meffage from the Houfe of Burgefles prefenting the Book of proportions of publick dues in tobacco.

The Account of money due vpon the four pence $\frac{3}{4}$ gall; and the proportion thereof & A bill for raifing a publick Levie to all which they pray the Councills concurrence.

The book of proportions of publick dues in tobacco

The Account of money due vpon the 4^d $\frac{3}{4}$ gall: and the proportion thereof &

A bill for raifing a publick Levie

being read are Agreed to and *Ordered* that the Clerke of the Generall Affembly carry the Same to the Houfe of Burgefles, together with the roll of Bills which they had fent

The Councill in Confideration of the Clergys Addrefs haveing *Ordered* a Copy thereof for the Houfe of Burgefles as concerned therein; *Ordered* that the Clerk of the Generall Affembly Acquaint the Houfe of Burgefles therewith and carry them the Said Copy.

October 31th 1696

Present

HIS Excellency S^r *Edmond Andros* Knt Govern^r &c., *Richard Lee, William Byrd, Edward Hill, Edmund Jenings Efqr^s, James Blair Comiff^r, Dan^t Parke, Charles Scarburgh Efqr^s*

A Meffage from the Houfe of Burgefles by Coll *Ifaac Allerton* &c prefenting an addrefs to his Excellency, in anf^r to y^e Clergys Addrefs

Ordered

Ordered that the Clerk of the Generall Affembly Acquaint the Houfe of Burgeffes that his Excellency Comands their Attendance in the Generall Court Houfe forthwith And the Said Houfe of Burgeffes being thither come, his Excellency was pleased to Sign the Severall Law's hereafter mention'd, which were prefented by M^r Speaker Viz^t

An Act for prevention of fornication & Severall other Sins and Offences

An Act for altering the Court days in Accomack County.

An Act for giveing a reward to Indians for killing of Wolves.

An Act for repealing the prohibition of planting tobacco after the last day of June Annually.

An Act for Ascertaining Damages vpon Appeales

An Act for impofeing penalties upon the Nonappearance of evidences.

An Act declaring how long Judgements & Specialties Shall be pleadable.

An Act for Ascertaining the place where the Court for York County Shall be kept.

An Act for Ascertaining the Gage of Pork Tarr and other barrells.

An Act for prevention of Clandestine Marriages.

An Act for the better Support & Maintenance of the Clergy

An Act for Ascertaining County Court Clks fees

An Act Appointing Rangers at the heads of the four great Rivers

An Act for Raifing a publick Levie

And then

His Excellency Ordered the Said Houfe to return and adjourn themselves to Thurfday the 29th day of Aprill next.

A true Copy

Test R Beverley Cl Gen^l Aff^{ly}

ATT A

GENE^{LL} ASSEMBLY

begunn att *James City* y^e 18th day of *Aprill* 1695 & Continued
by prorogation & adjou^rnm^t to y^e 21st day of *Octo^r* in y^e
ninth year of y^e Reigne of our Sovereigne Lord *William*
by y^e Grace of God of *England Scotland france Ireland &*
Virginia Defend^r of the faith &c *Annoq Domini* 1697.

Att a Gene^{ll} Affsembly begunn att *James City* y^e 18th day of *Aprill* 1695 & Continued by prorogation & adjournm^t to y^e 21st day of *Octo^r* in y^e ninth year of y^e Reigne of our Sovereigne Lord *William* by y^e Grace of God of *England Scotland france Ireland & Virginia* Defend^r of the aith &c *Annoq Domini* 1697.

[*October* 21st 1697.]

Present

HIS Exce^{ll^y}, *Wm Byrd, Chr. Wormeley, Edward Hill, Edm^o Jenings, Rich^d Jn^{son}, Chr. Scarburgh Jn^o Lightfoot Esq^{rs}*

A messuage from y^e house of Burgeffes by Cap^t *W^m Randolph* &c acquainting his Ex^y y^t y^e house was mett & waited his Ex^{ys} Commands his Ex^y told them they were an adjourned house & might proceed on their Buiness

Gen^{ll} Court house y^e 23^d *Octo^r* 1697

Present

HIS Ex^y, *Wm Byrd, Chr Wormeley, Edward Hill, Edm^o Jenings, Rich^d Jn^{son}, Ch: Scarburgh, Jn^o Lightfoot Esq^{rs}*

Ord^{rs} that y^e Clerk of the Gen^{ll} Affsembly doe Signifie to y^e house of Burgeffes his Ex^{ys} Comands Imediatly to attend him in y^e Gen^{ll} Court house where being Come his Ex^y thus Exprest himselfe
Gent.

Soon after yo^r adjournment [See J. of H. of B., pp. 105-106.]

Coll *Chr Wormley* & Coll *Edm^o Jenings* are appointed to Administ^r the Vsuall Oaths y^e test to the New Elected Members of y^e house of Burgeffes

Coll *Chr Wormley* & Coll *Edm^o Jenings* went to the Gen^{ll} Court house & Administ^d y^e Oaths appointed by Act of Parliament to be taken Instead of the Oaths of Allegiance and Sup^macy the test to M^r *Phill Ludwell Jun^r* in the Room of M^r *W^m Sherwood* for *James City* de^{cd} to M^r *James Cock* for *Henrico* County in the room of M^r *W^m Byrd* gone for *England* to M^r *Rob^t Hubbard* in y^e Roome of M^r *Rich^d Whitaker* Sheriff for *Warwick County*.

Octo 26th 1697

Present

RICH^d LEE, *W^m Byrd, Chr Wormley, Edward Hill, Edm^o Jenings, Rich^d Jn^{son}, Chr Scarburgh Esq^{rs}*

A Messuage from y^e house of Burgeffes to y^e Councill by Cap^t *Withers* &c desiring a Conference with the Councill ab^t that part of his Ex^y speech relating to Indians

Coll *Rich^d Lee* Coll *Wm Byrd* and Coll *Ed Jenings* are appointed to Manage the Conference

Ord^d

Ord'd y^t y^e Clerk of y^e Gen^l Affembly doe Acquaint y^e house of Burgeffes y^t three of the Gent of the Councill will Meet Such Members of the house of Burgeffes as they fhall appoint to Conferr ab^t that part of his Ex^{ya} Speech relateing to Indians att 5 a Clock in the Aft^r Noon in the great Hall

Octo^r 29th [27th] 1697

Pr^{sent}

HIS Ex^y, Rich^d Lee, Wm Byrd, Chr Wormley, Edward Hill, Edm^o Jenings, Rich^d Jn^{son}, Chr: Scarburgh Esq^{rs}

An Addrefs from y^e house of Burgeffes to his Ex^y by Cap^t Wm Leigh &c

*To his Ex^y S^r Edm^o Andros Kn^t his Maj^{ties} Lev^t & Governour Gen^l of Virginia
the humble addrefs of the house of Burgeffes*

May itt please your Exc^y

Wee his Maj^{ties} Loyall [See J. of H. of B., p. 109.]

Octo^r 28th 1697.

Pr^{efe}

HIS Ex^y, Rich^d Lee, Wm Byrd, Chr. Wormley, Edward Hill, Edm^o Jenings, Rich^d Jn^{son}, Chr. Scarburgh Esq^{rs}

Coll Lee reports from the Conference with the Members appointed by the house of Burgeffes that y^e Gent Acquainted them they were not foe Much for a Conference as to Advise what May be for y^e good of this Country & y^e best ways & Methods for bett^r Secureing itt y^t they Conceived the laws were Sufficent but desired the Councill to propofe any other means or Methods the Gen^t of the Councill not being directed So to do told them they would report the Same to y^e board

Upon Confidⁿ of the Addrefs of the house of Burgeffes to his Ex^y of yesterday w^{ch} his Ex^y was pleafd to lay before the Councill, the Councill doe desire Conference with the house of Burgeffes

Coll Rich^d Lee Coll Wm Byrd & Coll Ed Jenings are Appointed to Manage the Conference

Ord'd that the Clerk of the Gen^l Affembly doe Signifie to y^e house of Burgeffes that y^e Councill desire a Conference with the house of Burgeffes & that three of the Councill will meet Such Members as the house fhall appoint to Conferr ab^t the Subject Matter of his Ex^{ya} Speech Relateing to Indians & the Militia att 9 a Clock a Clock to Morrow Morning in the Great Hall

Octo^r 29th 1697

Pr^{efen}

RICH^d LEE, Wm Byrd, Chr. Wormley, Edward Hill, Edm^o Jenings, Rich^d Jn^{son}, Chr Scarburgh Esq^{rs}

Coll Lee reports from the Conference defid^d by the Councill that they mett the Gent—appointed by the house & did acquaint them that they were to Conferr on the Subject Matt^r of the Addrefs of the house of Burgeffes to his Ex^{ya} Speech relateing to the Indians & the Militia that to the frst they thought y^e Same was not fully and plainly Expres^d & desired the Advice of the house whether the *Piscataway* Indians ought to be removed or what fitt to be done & the Indian prifoners to be releafd or Continued & that relateing to the Militia his Ex^{ly} did Mention to the house of Burgeffes on the Representation of the Councill & the Severall Comd^{rs} in Chiefe that they thought

thought the laws were wanting and Vncertain being Variouſly and dubiouſly Expounded & Executed theirefore the Gen^t of the Councill thought itt proper & fitt for theire Conſid^ration all w^{ch} being fully diſcourſed the Member[s] Said they would faithfully report itt to the houſe—

Cap^t *Michaell Sherman* &c bring from y^e houſe of Burgeſſes the booke of Claimes

Octo^r 30th 1697

Prſent

RICH^d LEE, Wm Byrd, Chr Wormley, Edward Hill, Edm^o Jenings, Rich^d Jn^oſon,
Chr Scarburgh Eſq^r

A Meſſuage from the houſe of Burgeſſes by M^r Haney Cl^k to the Councill

By the houſe of Burgeſſes

May itt pleaſe yo^r Hon^r

A Report being Made [See J. of H. of B., pp. 112-113.]

Novem^r 1st 1697

Prſent

RICH^d LEE, Wm Byrd, Chr Wormley, Edward Hill, Edm^o Jenings, Rich^d Jn^oſon,
Ch Scarburgh, Jn^o Lightfoot Eſq^r

the booke of Claimes being this day read & Conſid^red, Ord^d that the Clerk of the Gen^l Affembly doe Carry the following Meſſage & the Booke of Claimes with y^e Amendments to the houſe of Burgeſſes.

By the Councill

M^r Speaker & Gen^t of the houſe of Burgeſſes

The Councill haveing Conſid^d [See J. of H. of B., pp. 114-115.]

No^r 2^d 1697

Prſent

RICH^d LEE, Wm Byrd, Chr Wormley, Edward Hill, Edm^o Jenings, Rich^d Jn^oſon,
Chr Scarburgh, Jn^o Lightfoot Eſq^r

A Meſſage from the houſe of Burgeſſes by Cap^t *Michaell Sherman* &c wth the booke of Claimes the Amendments Additions being agreed to by the houſe the booke of Claimes returnd to the houſe by Cap^t *Sherman* &c.

Aſſented to by the Councill

Signd by Ord^r of y^e Councill

James Sherlock Cl Gen^l Affembly

Nov^r 3^d 1697

Prſent

RICH^d LEE, Wm Byrd, Chr Wormley, Edward Hill, Edm^o Jenings, Rich^d Jn^oſon,
Chr Scarburgh Eſq^r

Ameſſuage from the houſe by Cap^t *Baffett* &c with the booke of proportions M^r Treafurer *Byrds* Account Ord^r of the houſe to m^r Treafurer *Byrd* to pay Severall Sums of Money & a bill for Raiſeing a publick Levie

The Bill for Raiſeing a Publick Levie read and Aſſented to by the Councill

Signd by Ord^r of the Councill

James Sherlock Cl Gen^l Affembly

Ord^d

Ord'd that the Clerk of the Gen^l Affembly doe Carry the booke of proportions m^r Treafurer Byrds Account and the Ord^r of the houle & the bill for Raifeing a publick Levie to the houle of Burgeffes

Affented to by the Council

Signed by Ord^r of the Council

James Sherlock Cl Gen^l Affembly

A meffuage from the houle by Cap^t *Leigh* &c Acquainting his Ex^y that the houle had Nothing more lay before them only waite his Ex^{ys} Comands

Gen^l Court houle

P^rsent

HIS Excellency, *Rich^d Lee, Will Byrd, Chr Wormley, Edward Hill, Edm^o Jenings, Rich^d Jn^{son}, Char Scarburgh Esq^{rs}*

Ord'd that the Cl of the Gen^l Affembly doe Signifie his Ex^{ys} Comands to the houle of Burgeffes Imediately to Attend him in the Gen^l Court houle to pafs y^e Bill for raifeing a publick Levie, The hous Attend the Cl of the houle of Burgeffes read y^e Bill for Raifeing a publick Levie his Ex^y was pleafed to Sign the Same and then the Speaker, His Ex^y then diffolved the Gen^l Affembly.

James Sherlock Cl Gen^l Affm^y

ATT A

GENERALL ASSEMBLY

begun at *James City* the 28th day of *September* in the tenth
yeare of the Reign of our Sovereign Lord *William* the third
by the Grace of God of *England Scotland france Ireland*
&c King Defender of y^e ffaith *Annoq, Dom. 1698*

Att Generall Affsembly begun at *James City* the 28th day of
September in the tenth yeare of the Reign of our Sovereign
Lord *William* the third by the Grace of God of *England*
Scotland France Ireland &c King Defender of y^e ffaith
Annoq, Dom. 1698

[*September* the 28th 1698.]

Present

HIS Excy S^r *Edm^d Andros* Kn^t Governo^r &c, M^r Auditor *Byrd*, Coll^o *Edw^d Hill*,
Coll^o *Edm^d Jenings*, *John Lightfoot* Esq^r

His Excy was pleased to Comissionate Coll^o *W^m Byrd* Coll^o *Edw^d Hill* &
Coll^o *Edmund Jenings* or any two of them to adminifter y^e Oathes appointed
to be taken in Stead of y^e Oathes of Allegiance & Supremacy the test & the Oath of a
Burgefs to the Burgeffes Eleçted & returned to Serve in the Gen^l Affsembly. And
Likewise Comissionated the f^d persons to Adminifter y^e f^d Oathes appointed to be taken
in Stead of the oathes of Allegiance & Supremacy the test & the oath of Clerk. of the
Houfe of Burgeffes unto *Peter Beverley* Gentleman.

In the Gen^l Courthouse *Septemb^r 29^h 1698*

Present

HIS Excellency, *William Byrd*, *Edward Hill*, *Edm^d Jenings*, *John Lightfoot* Esq^{rs}

His Excy Ordered m^r *Thacker* to go up to y^e Houfe of Burgeffes and
Acquaint them that he Comands their Immediate attendance upon him in the
Generall Courthouse and they being come down, Ordered them to return to
their houfe & make Choyce of a Speaker.

September y^e 30th 1698.

Present

HIS Excellency, *W^m Byrd*, *Edward Hill*, *Edm^d Jenings*, *John Lightfoot* Esq^{rs}

M^r *Robert Carter* & Severall of y^e members of the Houfe of Burgeffes
waited on his Exçy to acquaint him that in obedience to his Exçys Comands
the Houfe of Burgeffes had made Choyce of their Speaker & desired to know
when they Should wait on his Exçy to present him.

Ordered that m^r *Thacker* go to the Houfe of Burgeffes & acquaint them that his
Exçy Comands their immediate attendance upon him in the Gen^l Courthouse.

And accordingly the Houfe of Burgeffes attended his Exçy in the Gen^l Courthouse,
and Cap^t *William Randolph* Acquainted his Exçy that the Houfe of Burgeffes had made
Choyce of him for their Speaker and haveing made a Speech Disabling himfelfe was
Confirmed by his Exçy, and then prayed that what priviledges that houfe have usually
had or ought to Enjoy might be Continued & Confirmed to them which his Excell^{cy}
Accordingly Granted and was pleased to make the following Speech.

Gentlemen

Great Complaints [See J. of H. of B., 1695-1702, p. 121.]

In

In the Gen^l Courthouse y^e 6th of *October* 1698.

Present

HIS Excellency, *Richard Lee, William Byrd, Edward Hill, Edm^d Jennings, John Lightfoot Esq^{rs}*

Ordered, that Cap^t *ffrancis Clements* go to the House of Burgeses & acquaint them that his Ex^cy Com^{ds} their Immediate Attendance upon him in the Gen^l Court house. and they being accordingly come down. his Excy was pleased to acquaint them that haveing had frequent Affemblies most of them here knew how desirous he has been for Improveing those oppertunities for his Maj^{ties} & this Countrys Service, and that he is now Concerned at the occasion on account of an act of Parliament to Say that he did Defolve This Gen^l Affembly and this Generall Affembly is Defolved.

Cop

E. Jennings Dep^y Sec^y

AT A

GENERALL ASSEMBLY

began at *James City* the twenty Seventh day of *Aprill* 1699.
And in the Eleventh year of the Reigne of our Sovereigne
Lord *William* by the Grace of God of *England Scotland, France*
& *Ireland* King Defender of the ffaith &^{ca}

At a Generall Affembly began at *James City* the twenty Seventh day of *Aprill* 1699. And in the Eleventh year of the Reigne of our Sovereaign Lord *William* by the Grace of God of *England Scotland, France & Ireland* King Defender of the ffaith &^{ca}.

[*Aprill* the 27th 1699.]

Present

HIS Excellency *francis Nicholfon* Elq^r his Maj^{ties} Leiv^t and Governour Gen^l of this his Maj^{ties} Colony and Dominion of *Virginia*, *Rich^d Lee*, *W^m Byrd*, *Edw^d Hill*, *Edm^d Jenings*, *Rich^d Johnson*, *John Lightfoot*, *Math: Page*, *Benj^a Harrison* Elq^{rs}

His Excellency haveing been pleafed by his Comi^{con} under the Seale of the Colony to Constitute, *Benjamin Harrison* of the County of *James City* Clerke of the Gen^l Affembly, he did Accordingly take the Oaths Appointed by Act of Parliament to be taken inftead of the Oaths of Supremacy and Allegiance and Subfcribed the Teft and the Affociation appointed by Act of Parliament and did take the Oath of Clerke of the Gen^l Affembly and was Ordered to Attend Accordingly.

Ordered that the Clerke of the Gen^l Affembly doe goe to all Such of the Gentlemen of the Houfe of Burgefles as are in Town and Comand their Imediate Attendance upon his Excellency and the Councill in the Great Hall; which (by reason that the State houfe by an vnhappy Accident was lately burnt down) is the place Appointed for his Excellency & the Councill to Sitt, in during This Generall Affembly.

The Gentlemen of the Houfe of Burgefles Attend his Excellency and the Councill in the Great Hall, And His Excellency was pleafed to Acquaint them, that Since the State Houfe of this His Majefty's Colony and Dominion was lately by an vnhappy Accident burnt down, He, by and with the Advice of the Councill had Caufed a Houfe to be fitted up for the Gentlemen, of the Houfe of Burgefles to fett in, dureing this Generall Affembly, And that he had Comi^{con}ated fome Gentlemen of the Councill to Adminifter the Oaths, Teft and Affociation unto them who would Show them the place they were to fitt in, but if they Knew of any better and more Convenient Place in all refpects for their Reception, His Excellency was well Satisfyed they fhould Make Choice of it.

His Excellency was alfo pleafed to Acquaint the Gentlemen, That he had Comi^{con}ated *William Randolph* Gentleman to be their Clerke who would Attend them Accordingly And that he had Appointed the Gentlemen of the Councill to Adminifter the Oaths Teft and Affociation to him.

The Councill Adjourn'd till to Morrow Morning ten of the Clock.

Friday Aprill the 28th 1699;

Present

HIS Excellency, *Rich^d Lee*, *W^m Byrd*, *Edw^d Hill*, *Edm^d Jenings*, *Rich^d Johnson*, *John Lightfoot*, *Math: Page*, *Benj^a Harrison* Elq^{rs}

A Meflage from the Burgefles by Coll *Ludwell*, who Acquaints His Excellency that the Burgefles were in the place Appointed for them to fit in and that there was a full Houfe and did waite His Excellency's Comands.

Ordered,

Ordered. That the Clerke of the Gen^l Affembly doe goe to the Houfe of Burgefles and Comand their Imediate Attendance upon his Excellency in Council in the Great Hall,

The Gentlemen of the Houfe of Burgefles being come into the Great Hall, His Excell^{cy} was pleased to Exprefs his Comands to them in this Manner
Gentlemen.

I am Glad to fee foe very great an Appearance and of perfons foe well Qualifyed in all Refpects for the Service both of His Maj^{ty} and of this His Colony & Dominion and that you have foe many Natives of your own Country Capable of ferving their Country all that I fhall recomend to you at prefent is that you repair to your Houfe and Make Choice of yo^r Speaker, and then I Shall Comūicate to you the Severall Matters of Import for his Maj^{ty}s & this Country's Service for which you are Convened at this Time.

The Council Adjourned till the Afternoon.

Post Meridiem

THE Houfe of Burgefles not having yet made Choice of their Speaker, The Council Adjourned till to Morrow Morning ten of the Clock.

Saterday Aprill the 29th 1699

Present

HIS Excellency, Rich^d Lee, W^m Byrd, Edw^d Hill, Edm^d Jenings, Rich^d Johnson, John Lightfoot, Math: Page, Benj^a Harrifon Elq^{rs}

His Excell^{cy} haveing Yefterday Comanded the Houfe of Burgefles to make Choice of a Speaker, which they not having yet proceeded to doe, for as much therefore as it is very Chargeable to the Country that the Gen^l Affembly fhould Continue long and noe buifnefs for the fervice of his Maj^{ty} or the Country can be Entred vpon untill a Speaker of the Houfe of Burgefles be Chofen.

Ordered. That the Clerk of the Generall Affembly doe goe to the Houfe of Burgefles with this following Meffage

Gentlemen.

His Excellency and the Council have for thefe Two dayes Expected that you would make Choice of a Speaker, which you not haveing yet done, I am Comanded by his Excellency in Council to acquaint you that it is for the fervice of his Majefty and this Government that you doe forthwith proceed to make Choice of a Speaker, Therefore his Excellency Comands you in his Maj^{ties} Name that you doe not any more depart from your Houfe till you have made Such Choice,

Post Merediem.

A MESSAGE from the Houfe of Burgefles by m^r Leigh who Acquaints his Excellency thāt in Obedience to his Comands they put the Queftion in the Houfe between two Gentlemen of their Houfe who ftood Candidates for Speaker, and the votes were Equall being twenty on Each fide, And this afternoon they had again put the Same Queftion and were Equally devided as before, therefore they could not Chofe a Speaker till the reft of the Members of their Houfe came to Town.

Ordered that the Clerk of the Generall Affembly doe goe to the Houfe of Burgefles and Comand their Imediate Attendance upon his Excellency in Council in the Great Hall.

The

The Burgeffes Attending, his Excellency was pleased to Express himself in Manner following.

Gentlemen

I am Sorry you have Spent foe much time and Cannot agree vpon a Speaker, but Since it hath foe happened, I desire your Company on *Monday* Next at the Colledge of *William* and *Mary* in *Virginia*, and recomend it to you to Adjourne Accordingly

The Councill Adjourned till *Tuesday* Morning ten of the Clock.

Tuesday May the 2^d 1699

Present

HIS Excellency, *Rich^d Lee, W^m Bird, Edw^d Hill, Edm^d Jenings, Rich^d Johnson, John Lightfoot, Math: Page, Benj^a Harrison Esq^{rs}*

A Message from the Burgeffes by m^r *Cary*.

May it please yo^r Excellency.

I am Comanded by the House of Burgeffes to Acquaint yo^r Excellency that they have proceeded to the Choice of a Speaker and they pray that yo^r Excellency will be pleased to Appoint a time when they shall present him.

Ordered That the Clerk of the Gen^l Affembly doe goe to the House of Burgeffes & Comand their Immediate Attendance vpon his Excell^{cy} in Councill in the Great Hall.

The Burgeffes Attend his Excellency and Present *Robert Carter* of the County of *Lancaster* Esq^r as their Speaker who is Approved and Confirmed by his Excellency.

Then m^r *Speaker* in behalf of the House of Burgeffes and of all the Comonalty of *virginia* did pray that they might Injoy their Ancient Priviledges of ffree Accels to his Excellency at such times as he should be pleased to Appoint, freedome of Debate in their House, and the Priviledge of the Members, their Servants & Goods being free from Arrests; which were all Granted.

Then his Excell^{cy} was pleased to make the ffollowing Speech.

Honourable Gentlemen.

Before I fpeake [See J. of H. of B., p. 135.]

The Councill Adjourned till to Morrow Morning ten of the Clock

Wednesday May y^e 3^d 1699

Present

HIS Excellency, *Rich^d Lee, Edw^d Hill, Rich^d Johnson, John Lightfoot, Mathew Page, Benj^a Harrison Esq^{rs}*

A Message from the Burgeffes by m^r *Cary &c^a*

May it please yo^r Excellency.

We waite vpon yo^r Excell^{cy} by Comand of the House of Burgeffes, to pray that yo^r Excell^{cy} will please to favour them with a Copy of yo^r Speech to them—at the Opening this Sessïon of the Gen^l Affembly.

Ordered

That the Clerk of the Gen^l Affembly doe Carry a Coppy of his Excell^{cy}s Speech to the House of Burgeffes.

The Councill Adjourned till to Morrow Morning ten of the Clock

Thursday May y^e 4th 1699

Present

HIS Excellency, *Rich^d Lee, W^m Byrd, Edw^d Hill, Rich^d Johnson, Char: Scarburgh, John Lightfoot, Math: Page, Benj^a Harrison Esq^{rs}*

The Grievances of the Inhabitants of the vpper parts of *Yorke* County being read,

Ordered

That the Consideraçon thereof be referred to the House of Burgeffes.

The

The Petiçon of Some of the Inhabitants of *Wilmington* and *Walingford* parishes being read, representing the inconvenient Scituaçon & Devision of their parishes, & praying that they may be taken into *James City* parish.

Ordered That the Consideraçon of the Said Petiçon be referred to the House of Burgeffes and that it be recomended to them to Consider of and Provide for the more Convenient and Equall Regulaçon & Devision of the Other Countyes & Parishes within this Dominion.

A Message from the Burgeffes by Cap^t *Duke*

May it please yo^r Excell^{cy}

I am Comanded by the House of Burgeffes to pray yo^r Excell^{cy} that a New writt may Issue for the Elecçon of a Burgefs for *Henrico* County instead of Cap^t *W^m Randolph* the Present Clerk of our House.

A Message from the Burgeffes by m^r *Corbin*.

May it please yo^r Excell^{cy}

I am Comanded by the House of Burgeffes to pray yo^r Excell^{cy} that a New Writt may Issue for the Elecçon of a Burgefs for *Stafford* County instead of m^r *John Waugh*.

A Comittee to Consider & Settle the Disputes and Controversies concerning Claimes & Titles to Lands in *Pamunky* Neck and on the South side of the *Black Water* Swamp *Rich^d Lee*, *Will^m Byrd* & *Char: Scarburgh* Esq^{rs}

Ordered—That the Clerke of the Generall Affembly doe Carry the following Message in writing to the House of Burgeffes.

Whereas Severall Controversies [See J. of H. of B., p. 143.]

A Message from the Burgeffes by m^r *Robinson*

May it please yo^r Excell^{cy}

I am Comanded by the House of Burgeffes to pray yo^r Excell^{cy} that a New Writt may Issue for the Elecçon of a Burgefs for *Nanjemund* County instead of m^r *Thomas Godwin* who was unduely returned.

The Councill Adjourned till to Morrow Morning ten of the Clock.

Friday y^e 5th of May 1699.

Present

HIS Excell^{cy}, *Richard Lee*, *William Byrd*, *Edward Hill*, *Rich^d Johnson*, *Charles Scarburgh*, *John Lightfoot*, *Benj^a Harrison* Esq^{rs}

A Message from the Burgeffes by m^r *Buckner*

May it please yo^r Excell^{cy}

I am Comanded by the House of Burgeffes to waite vpon yo^r Excellency to returne their humble thanks for yo^r laft Message to them concerning the Settlement of Titles to lands in *Pamunky* neck and on the South side of the *black water* Swamp, to Acquaint yo^r Excell^{cy} that they have Appointed Six Members of their House, not concerned in Intereft to be joyned with the Comittee of the Councill for the settling of those Titles.

The Councill Adjourned till *Monday* Morning ten of the Clock.

Monday May the 8th 1699

Present

HIS Excellency, *Edmond Jenings*, *Richard Johnson*, *Charles Scarburgh*, *John Lightfoot* Esq^{rs}

The Petiçon of the Inhabitants of *Norfolk* County being read and thô it doth not Appear to be presented in the County Court According to Law, Yet Nevertheless the Consideraçon thereof is referred to the House of Burgeffes, And it is also recomended to them to propose Some Effectuall Methods to prevent practices of the like Nature, for the future.

The

The Grievances of the Inhabitants of *Charles City County* read & Referred to the Consideraçon of the House of Burgeffes.

The Petición of Sundry the Inhabitants of *Norfolk County* read & referred to the Consideraçon of the House of Burgeffes.

Ordered.

That the Clerk of the Gen^l Affembly doe Carry all papers Concerning the Rangers, Indians & their trade to the House of Burgeffes.

The Councill Adjourned till to Morrow Morning ten of the Clock.

Tuesday May y^e 9th 1699.

Present

HIS Excell^{cy}, *William Byrd, Edw^d Hill, Edmond Jenings, Rich^d Johnson, Cha: Scarburgh, Jn^o Lightfoot, Math Page, Benj^a Harrison Esq^{rs}*

The Petición of *Dionisius Wright* praying to be Admitted Clerk to the Joynt Comíttee of the Councill & Burgeffes Appointed to Consider, and Settle the Disputes and Controversies concerning Claimes and Titles to land in *Pamunky neck* & on the South side of *Black water Swamp* was read, and the said *Wright* being Esteemed a Capable person for that Service the said Petición is referred to the Burgeffes for their Approbaçon of him.

Ordered That the Complaints of the Queen of *Pamunky* and the severall other Nations of Indians be referred to the Consideraçon of the Comíttee Appointed to Consider and Settle the Disputes and Controversies Concerning Claimes & Titles to land in *Pamunky Neck* & on the South side of the *blackwater Swamp* and that they doe report their Opinion therevpon.

The Councill Adjourned till to Morrow Morning ten of the Clock

Wedn'sday May y^e 10th 1699.

Present

HIS Excellency, *Rich^d Lee, W^m Byrd, Edw^d Hill, Edm^d Jenings, Rich^d Johnson, Cha: Scarburgh, John Lightfoot, Math: Page, Benj^a Harrison Esq^{rs}*

Whereas there are many Matters now lying and hereafter to be laid before the House of Burgeffes which are of great Moment, and likely to take vp a great deale of time, His Excell^{cy} proposed the Recomending the Reviseall of the Lawes to the House of Burgeffes, which Reviseall would Answer the Intent of many things now laid before them, and the Other buifness which is of Absolute Necessity to be done at this time may be dispatched in a Short time.

Resolved That It is the Opinion of this board that it is for the Service of his Maj^{ty} and the Interest of this his Antient and great Colony & Dominion that his Excell^{cy} doe recomend the Reviseall of the Lawes to the House of Burgeffes and that a Comíttee of the Councill be Appointed to Joyne with A Convenient Number of the House of Burgeffes to Consider and Agree vpon the most proper Methods to Revise the Laws, dureing the Intervalls between the Sessions.

A Comíttee to Consider of the most proper Methods for Reviseing the Lawes.

Edw^d Hill Rich^d Johnson Benjamin Harrison Edm^d Jenings Math. Page Esq^{rs}

Ordered that the Clerke of the Gen^l Affembly doe goe to the House of Burgeffes, And Comand their Imediate Attendance vpon his Excell^{cy} in Councill in the Great Hall, Mr *Speaker* and the House of Burgeffes being come into the Great Hall, His Excell^{cy} was pleased to make the following Speech to them

Mr Speaker & Gentlemen of the House of Burgeffes

There are already [See J. of H. of B., p. 153.]

The Councill Adjourned till ten of the Clock to morrow Morning.

Thursday

Thursday May y^e 11th 1699

Present

HIS Excellency, *Rich^d Lee, Will^m Byrd, Edw^d Hill, Edm^d Jenings, Rich^d Johnson, Cha: Scarburgh, John Lightfoot, Math: Page, Benj^a Harrison Esq^{rs}*

The Severall Petitions of *Peter Beverly* and *Robert Beverly*, representing their Services in Methodizeing the papers & Records belonging to the Assembly, Gen^l Court & Secretary's Office and lodging of them in their Respective offices after they had been disordered by the burning of the Statehouse, And praying that they may be considered for their Said Services were Read, and the Consideration thereof referred to the House of Burgeses.

The Petition of *Chichly Corbin Thacker*, Clerke of the Secretaryes Office, Setting forth the Number of New writts Issued for the Elections of Burgeses and praying allowance for the Same According to law, read & referred to the House of Burgeses.

The petition of *Thomas Davis*, praying Allowance for the bringing severall Indians & their Interpreter over *James River*, read and referred to the Consideration of the House of Burgeses.

The Petition of *John Tullit* Setting forth the Charge he hath been at in fitting up the House for the Burgeses to Sit in, pursuant to an Order of his Excell^{cy} in Councill, and praying an Allowance for the Same, read & referred to the Consideration of the House of Burgeses.

The Petition of *George Ivie* & others, for the Repeale of the Act of Assembly, Against *English* people's Marrying with Negroes Indians or Mullattoes, read, & referred to the Consideration of the house of Burgeses.

The Petition of *Robert Beverly* Setting forth that he being late Clerke of the Secretaryes Office did Issue severall Comissions of *Oyer* and *Terminer* for the Tryalls of Negro Criminalls pursuant to a late Act of Assembly, for which he had never been paid & praying Allowance for the Same, Read & Referred to the Consideration of the House of Burgeses.

Whereas by Order of Councill dated *October* the 21th 1698, it was directed that *Peter Beverly* & *Robert Beverly* should lift the Records & Papers belonging to the Assembly, Secretaryes Office, & Generall Court, and lodge them in their Severall Offices & returne an Account of their proceedings therein, which they haveing performed & laid their Claime for that Service before this present Gen^l Assembly.

Resolved. That it be recommended to the Gentlemen of the House of Burgeses to Appoint a Committee to inspect the said Offices and view the Said Records & Papers and Examine the Said Account of them, returned as afforesaid.

A Message from the Burgeses to the Councill by m^r *Leigh*, who acquaints their Honour's that the Burgeses had under their Consideration the Grievances of *Stafford* County and Other papers relateing to the Indians, and particularly to the Murders and Other Crimes committed by the Indian called Squire *Tom*, and finding the Same to be of great Consequence to this His Majesty's Governm^t, they thought it not Convenient to proceed therein without a Conference with their Honours, therefore they desire them to agree to a Conference with the Burgeses, vpon the Subject Matter of this Message, & that they will be pleased to Appoint the time and Place for holding the Said Conference.

The Councill Adjourned till ten of the Clock to Morrow Morning.

Friday May y^e 12th 1699

Present

HIS Excellency, *Rich^d Lee, William Byrd, Edw^d Hill, Edmond Jenings, Rich^d Johnson, Char: Scarburgh, John Lightfoot, Math: Page, Benj^a Harrison Esq^{rs}*

Whereas the Committee Appointed to Consider & settle the Claimes & Titles to lands in *Pamunky* neck and on the fouth side of the *black water* Swamp, doe report that the Queen of *Pamunky* hath Complained that severall *English* have Encroached vpon the Libertyes of her people, Contrary to the Articles of Peace, and

and Severall Orders of the Gen^l Court, And *whereas* the said Committee doe request his Excellency that an Expreſs be diſpatched to Cauſe two or three of the great men, of the *Pamunky* Indians and their Interpreter to Attend them as Soon as poſſible, to produce the ſaid Articles of Peace & Orders of Court wherevpon they ground their Complaint.— Therefore *Ordered*. That a Warrant be prepared requiringe m^r *Robert Peaſely* the Indian Interpreter in *New Kent* County to Cauſe three of the great men of the *Pamunky* Indians with all poſſible Expedition to repair to *James City* to proſecute their Said Complaint, and alſo that he the ſaid *Peaſeley* ſhould Appear with them,

Reſolved That According to the Meſſage from the Burgeſſes of Yeſterday a Conference be Agreed to vpon the Subject Matter of the ſaid Meſſage, and that the ſaid Conference be held imediately in the Great Hall, and Accordingly,

Ordered That the Clerk of the Generall Affembly doe goe to the Burgeſſes and Acquaint them, that the Members of the Councill Appointed to manage the Said Conference are ready to Confer with them in the Great Hall,

Rich^d Lee, William Byrd & Benjamin Harrison Eſq^r are Appointed to Manage the ſaid Conference.

A Meſſage from the Burgeſſes by m^r *Leigh*, that they had Appointed a Committee of ten Members of their Houſe to be Joyned with the Committee of the Councill Appointed to Conſider the moſt proper Methods for Revifeing the Lawes, and that they were Ready to meet for that purpoſe at Such time and Place as the Councill ſhould appoint,

Ordered. That the Clerke of the Generall Affembly doe goe to the Burgeſſes & Acquaint them that the Councill, have Appointed *Tueſday* next in the Roome over the Great Hall for the Meeting of the Committee to Conſider of the moſt proper Methods for Revifeing the Laws

A Meſſage from the Burgeſſes by m^r *Cary* who preſents to his Excell^{cy} the following Addreſs.

May it pleaſe yo^r Excell^{cy}

Wee his Maj^{tyes} [See J. of H. of B., pp. 161-2.]

Informacon being given to his Excell^{cy} and the Councill, that the Burgeſſes had Adjourned till *Monday* next.

The Councill Adjourned till twelve of the Clock on *Monday* Next.

Monday May the 15th 1699

Preſent

HIS Excell^{cy}, *Rich^d Lee, William Byrd, Edw^d Hill, Charles Scarburgh, John Lightfoot, Mathew Page Eſq^r*

The reſt of the Gentlemen of the Councill not being yet come to Town & Nothing being Offerred from the Houſe of Burgeſſes.

The Councill Adjourned till to Morrow morning ten of the Clock.

Tueſday May the 16th 1699

Preſent

HIS Excell^{cy}, *Edw^d Hill, Edm^d Jenings, John Lightfoot, Mathew Page, Benj^m Harrison Eſq^r*

Whereas Richard Johnſon Eſq^r is Appointed one of the Committee to Conſider of the moſt proper Methods, for Revifeing the Lawes and at preſent he is not in Town Therefore.

Ordered That *John Lightfoot Eſq^r* be Added to the ſaid Committee inſtead of the Said *Johnſon*, untill he ſhall come to Towne,

Preſent

Rich^d Lee, W^m Byrd, Charles Scarburgh Eſq^r ,

The petiçon of *William Broadrib & Edward Travis*, Church Wardens of *James City* pariſh, pray that the Gen^l Affembly would Contribute towards the paying for the Steeple

Steeple of their Church, and towards the Repairing of the Church Read, and the Consideration thereof referred to the House of Burgeffes.

Richard Lee Esq^r from the Conference with the Burgeffes had represented the great damage that the *English* had Suffered by the Indian Called *Squire Tom*, and that he is harboured by the *Piscatoway* Indians therefore they desired that the Councill will propose some method to bring the said Indian to Justice for the Severall Crimes whereof he is Guilty.

The Councill Adjourned till to Morrow Morning ten of the Clock.

Wedn'sday May ye 17th 1699.

Present

HIS Excellency, *Rich^d Lee, W^m Byrd, Edw^d Hill, Edm^d Jenings, Cha: Scarburgh, John Lightfoot, Math: Page, Benj^a Harrison* Esq^{rs}

The Giving an Answer to the Burgeffes vpon the Subject Matter of the last Conference, with them, is referred for further Consideration.

Then the Councill tooke into their Consideration the Appointing of Certaine of their Members to be joyned with a Committee of the Burgeffes for the Reviseall of the Lawes, wherevpon *Richard Lee* Esq^r desired that he might be Excused from Attending vpon that Service, by reason that his habitation is soe very far distant from *James City*, and over two great Rivers;—and *Charles Scarburgh* Esq^r also desired to be Excused for that (his habitacon lying on the Eastside of the Great bay of *Chisopeake*) he could not possibly Attend, And for as much as *William Byrd* Esq^r is his Maj^{tyes} Auditor Gen^l of the Revenues, and *Edmond Jenings* Esq^r hath at present the Charge of the Secretary's Office, and therefore they will be Obleiged to Attend those Severall Offices and cannot well be vpon the said Reviseall, they are also Excused from that Service; the Members Appointed for the Said Committee are *Edw^d Hill Esq^r Mathew Page Esq^r & Benj^a Harrison Esq^r*

The Councill Adjourned till to Morrow Morning ten of the Clock.

Thursday May ye 18th 1699.

Present

HIS Excell^{cy}, *Rich^d Lee, W^m Byrd, Edw^d Hill, Edm^d Jenings, Cha: Scarburgh, John Lightfoot, Math. Page, Benj^a Harrison* Esq^{rs}

His Excell^{cy} laid before the Councill the Answer he Intended to make in Writing to the Address of the House of Burgeffes which they had presented to him; which (Answer) was read in these words.

Mr Speaker & Gentlemen of the House of Burgeffes.

From some of the [See J. of H. of B., pp. 166-7.]

A Message from the Burgeffes by m^r *Custis* to the Councill, who Acquaints their Honours that vpon debate their house had resolved that the state house be built at the Middle plantacon to which they desire their Honours Concurrence.

Edward Hill Esq^r from the Committee to Consider of the most proper Methods for Reviseing the Lawes Reports that they had come to Certain Resolucons, which were read, and Ordered that they lye upon the Table.

An Engrossed bill from the Burgeffes Intituled a Bill for the more Effectuall suppressing, of Blasphemy, Swearing Cursing Drunkenness and Sabbath breaking, was by m^r *Taylor* brought to the Councill for their Honours Concurrence.

Ordered That the Said Bill be read the first time tomorrow Morning.

An Engrossed Bill from the Burgeffes Intituled a Bill for Prevention of Undue Elections of Burgeffes was by m^r *Taylor* brought to the Councill for their Concurrence.

Ordered that the said Bill shall be read the first time to morrow Morning.

The Councill Adjourned till ten of the Clock to morrow morning.—

Friday

Friday May y^e 19th 1699.

Present

RICH^d LEE, Edw^d Hill, Edm^d Jenings, Cha: Scarburgh, John Lightfoot, Math: Page, Benj^a Harrison Esq^{rs}

An Engroffed bill from the Burgeffes Intituled a bill for the more Effectuall Suppreffing of Blasphemy, Swearing Curfeing Drunkeñefs and Sabbath breaking, read the first time, & Ordered a Second reading.

An Engroffed bill from the Burgeffes Intituled a bill for prevention of undue Elecçons of Burgeffes, read the first time, and Ordered a Second reading,

The Councill haveing taken into their Consideraçon the last written Message from the Burgeffes, Acquainting their Honours that the House upon debate had resolved that the Statehouse be built at the Middle plantaçon, to which they desired their Honours Concurrence,

Resolved

Nemine Contradicente that the Councill doe Concurr with the said Resoluçon Of the Burgeffes & Accordingly

Ordered

That the Clerk of the Generall Affembly doe goe to the House of Burgeffes and Acquaint them therewith.

The Councill Adjourned till ten of the Clock to Morrow Morning—

Saterday May y^e 20th 1699

Present

RICH^d LEE, Edw^d Hill, Edm^d Jenings, Cha: Scarburgh, John Lightfoot, Math: Page, Benj^a Harrison Esq^{rs}

An Engroffed bill from the Burgeffes Intituled A bill for the more Effectuall Suppreffing of Blasphemy Swearing, Curfeing Drunkeñefs & Sabbath breakeing, read the Second time, & Comitted for Amendm^{ts} to Rich^d Lee and Charles Scarburgh Esq^{rs}

An Engroffed bill from the Burgeffes Intituled a bill for Prevention of Undue Elections Of Burgeffes read the Second time, and Comitted for Amendments to Rich^d Lee & Charles Scarburgh Esq^{rs}

The Councill Adjourned till Monday Morning ten of the Clock.

Monday May y^e 22th 1699.

Present

RICH^d LEE, Edw^d Hill, Edm^d Jenings, Cha: Scarburgh, Math: Page, Benj^a Harrison Esq^{rs}

An Engroffed bill from the Burgeffes by m^r Wilfon, A bill for Restraining & Punishing Pirats and Privateers, read the first time, and Ordered a Second reading.—

An Engroffed bill from the Burgeffes by m^r Wilfon, Intituled, a bill prohibiting the Exportaçon of Corne, Wheat, Meal or Biscuit till the twenty fifth day of December 1700, read the first time, and Ordered a Second reading.

An Engroffed bill from the Burgeffes by m^r Wilfon, Intituled, a bill to prevent the Discontinuance of Courts & procefs, read the first time, & Ordered a Second reading

An Engroffed bill from the Burgeffes by m^r Wilfon, Intituled, a bill prohibiting the Vnseasonable Killing of Deer, read the first time, and Ordered a Second reading

An Engroffed bill from the Burgeffes by m^r Wilfon, Intituled, a bill for Regulateing of Juries, read the first time, & Ordered a Second reading,

An

An Engroffed bill from the Burgeffes by m^r *Wilson*, Intituled, a Bill for the Punishment of Slaves for the first and Second Offence of Hog-stealing, read the first time, & Ordered a Second reading;

An Engroffed bill from the Burgeffes by m^r *Wilson*, Intituled a Bill restraining the Strikeing & Killing of Whales, read the first time, and Ordered a Second reading—

An Engroffed bill from the Burgeffes by m^r *Wilson*, Intituled a bill for Ascertainning the rate & value money shall pass at, Read the first time, & Ordered a Second Reading.

The Councill Adjourned till *Wednesday* Morning at ten of the Clock.

Wednesday May y^e 24th 1699

Present

RICH^d LEE, W^m Byrd, Edw^d Hill, Edm^d Jennings, Char. Scarburgh, John Lightfoot, Math: Page, Benj^s Harrison Esq^{rs}

A Message from the Burgeffes by m^r *Taylor*

May it please yo^r Honours

The Burgeffes haveing resolved vpon a place for the building of the Statehouse, & your Honours haveing Concurred with them therein, I am Comanded to Acquaint you that they desire a Conference with your Honours, to Consider of a Modell for the Statehouse, and what quantity of land will Necessarily be required for that purpose, and also what will be the most proper Methods of Carrying on the Said building, And if it may Stand with Your Honours Conveniency they desire you will please to Conferr with them herevpon, this Afternoon, or as Soon as yo^r Other Affairs will permitt.

Resolved.

That an Imediate Conference be held with the Burgeffes in the Great Hall vpon the Subject Matter of the last Message,

Managers Appointed for the Said Conference, *Richard Lee, William Byrd, Charles Scarburgh* Esq^{rs} And Accordingly

Ordered

That the Clerk of the Generall Affembly doe goe to the House of Burgeffes, and Acquaint them that the Councill (according to their desire) doe Agree to an Imediate Conference with them in the Great Hall;

Richard Lee Esq^r from the Comitte to whom an Engroffed bill, from the Burgeffes Intituled a bill, for the more Effectuall Suppressing of Blasphemy, Swearing Cursing Drunkeness and Sabbath breaking was Comitted for Amēdments, Reports Severall Amēdm^{ts} by them made to the said Bill, which were Agreed to by the Councill, And the bill being read the third Time with the Amēdments.

Resolved

That the Said Bill with the Amendments is Agreed to by the Councill and Accordingly,

Ordered

That the Clerke of the Gen^l Affembly doe Carry the Said Bill and the Amendments, to the Burgeffes and Acquaint them, that the Councill have Agreed thereto with Amēdments.

Richard Lee Esq^r from the Comitte to whom an Engroffed bill from the Burgeffes Entituled a bill, for prevention of Undue Eleccōns of Burgeffes, was Comitted for Amēdments, Reports Severall Amēdm^{ts} by them made to the said Bill which were read & Agreed to by the Councill. and The bill being read the third time with the Amendments

Resolved That the said Bill is by the Councill Agreed to, with the Amēdm^{ts} and Accordingly

Ordered

That the Clerk of the Generall Affembly doe Carry the said Bill and the Amendments to the House of Burgeffes, and Acquaint them, that the Councill have Agreed thereto with the said Amendments.

An

An Engrossed bill from the Burgeffes, Intituled, a bill for Restraining and Punishing Pyrats & Privateers, read the Second time, and Ordered a third Reading.

An Engrossed bill from the Burgeffes—Intituled, a Bill prohibiting the Exportaçon of Corne, Wheat, Meale, or Biscuit, till the 25th day of *December* 1700, read the Second time & Comitted for Amendm^{ts} to *Rich^d Lee & William Byrd Esq^{rs}*

An Engrossed bill from the Burgeffes, Intituled, a bill to prevent the Discontinuance of Courts and procefs, read the Second time & Ordered a Third Reading.

An Engrossed bill from the Burgeffes, Intituled, a bill prohibiting the Vnseasonable Killing of deer, read the Second. & Comitted for Amendments to *Charles Scarburgh and Benjamin Harrifon Esq^{rs}*

An Engrossed bill from the Burgeffes, Intituled, a bill for Regulateing of Juryes, read the Second time, & Comitted for Amendments to *Charles Scarburgh & Benj^a Harrifon Esq^{rs}*

An Engrossed bill from the Burgeffes, Intituled, a bill for the Punishment of Slaves for the first & Second Offence of Hog stealing, read the second time & Comitted for Amendments, to *Edw^d Hill & Mathew Page Esq^{rs}*

An Engrossed bill from the Burgeffes, Intituled, a bill restraining the Striking & Killing of Whales, read the Second time, and Comitted for Amendments, to *Rich^d Lee & Edward Hill Esq^{rs}*

An Engrossed bill from the Burgeffes, Intituled, a bill for the Affcertaining the Rate & value money shal pass at, read the Second time, & Comitted for Amendments, to *Rich^d Lee, William Byrd & Mathew Page Esq^{rs}*

The Councill Adjourned till tomorrow Morning ten of the Clock

Thursday May y^e 25th 1699

Present

RICHARD LEE, William Byrd, Edw^d Hill, Edm^d Jenings, Cha: Scarburgh, John Lightfoot, Math: Page, Benj^a Harrifon Esq^{rs}

A Message from the Burgeffes by m^r Leigh who brought up two Engrossed bills whereto the Councill had Agreed with Amendm^{ts} Intituled as followeth.

A Bill for the more Effectuall Suppreffing of Blasphemy Swearing, Curfeing, Drunkenefs and Sabbath breaking;

A bill for prevention of undue Elecçons of Burgeffes.

And Acquaints their Honours that the Houfe of Burgeffes had agreed to Severall of their Honours Amendm^{ts} to the Said Bills, and had Amended them Accordingly, but to Some Others of their Honours Amendments, the Houfe could not Agree; therefore they prayed their Honours Concurrence to the said Bills as they are Amended

The Councill Adjourned till to morrow morning ten of the Clock.

Friday May y^e 26th 1699

Present

RICH^d LEE, William Byrd, Edw^d Hill, Edm^d Jenings, Cha: Scarburgh, John Lightfoot, Math: Page, Benj^a Harrifon Esq^{rs}

The Councill Entered upon the debate of the Amendments made by the Burgeffes unto two Engrossed Bills, which they did Yesterday Send up to the Councill, with severall Rafures and Interlineations in the said Bills, in those places thereof where the Councill had propofed Some Amendments thereto, and Other of the Amendments to the said Bill propofed by their Honours were Altered & Some Intirely disagreed to by the Burgeffes, Which said Rafures, Amendments, and Interlineations being made (after the said bill had passed the Houfe of Burgeffes) & without the Assent And Agreement of the Councill. Therefore.

Resolved

That a Conference be desired with the Burgeffes, upon the Subject Matter of the Said Amendments, and the manner of making the Same, and Accordingly.

Ordered,

Ordered. That the Clerk of the Gen^l Affembly doe goe to the Houfe of Burgefles and defire a Conference therevpon.

Managers Appointed for the faid Conference, *Edward Hill, Edmond Jenings, Mathew Page Benjamin Harrifon* Elq^{rs}

Richard Lee Elq^r from the Comitte appointed to Amend an Engroffed bill from the Burgefles, Intituled, A bill reftraining Striking and Killing of Whales, Reports Severall Amendm^{ts} by them made to the faid Bill, which were read, and the faid Bill being read the third time,

Refolved

That the faid Bill is not Agreed to, By the Councill, they being of Opinion that it doth to nearly Encroach upon his Moft Sacred Majeftyes Royall prerogative. But forasmuch as the Killing of Whales within the Capes of this His Majeftys Colony and Dominion, is by the Houfe of Burgefles thought, to be prejudiciall to the Inhabitants thereof. Therefore,

Ordered, That the Clerke of the Generall Affembly doe goe to the Houfe of Burgefles, & Acquaint them that the Councill are ready to Joyne in An Addrefs to his Excellency for Reftraining thereof, when Ever they fhall be defired foe to doe by the Burgefles.

An Engroffed bill from the Burgefles, Entituled, a bill for Reftraining & punifhing Pyrats & Privateers, read the third time, and Some Amendments being made thereto by the Councill.

Refolved That the faid Bill is Agreed to, with Amendments, And Accordingly.

Ordered.

That the Clerk of the Generall Affembly doe Carry the Said Bill & the Amendments to the Houfe of Burgefles, and Acquaint them that the Councill have Agreed to the faid bill with the faid Amendments.

An Engroffed bill from the Burgefles Intituled a bill to prevent the difcontinuance of Courts & Procefs, read the third time, and Some Amendments [made] thereto by the Councill—

Refolved

That the faid bill is Agreed to with Amendments, & Accordingly

Ordered

That the Clerke of the Generall Affembly doe Carry the faid Bill and the Amendments to the Houfe of Burgefles and Acquaint them that the Councill have Agreed to the faid Bill, with the faid Amendments.

Edward Hill Elq^r from the Comitte to whom an Engroffed bill from the Burgefles, Intituled, a bill for the punifhment of Slaves for the firft and Second Offence of Hog ftealing, was Comitted for Amendments, Reports Severall Amendments by them made to the faid Bill which were read & Agreed to by the Councill and the faid Bill, being read the third time with the Amendments.

Refolved That the faid Bill is Agreed to by the Councill with the Amendments and Accordingly

Ordered That the Clerk of the Gen^l Affembly doe Carry the faid Bill with the Amendments to the Houfe of Burgefles and Acquaint them that the Councill have Agreed Thereto,

Charles Scarburgh Elq^r, from the Comitte to whome an Engroffed Bill from the Burgefles, Intituled, a bill for Regulateing of Juryes, was Comitted for Amendments, Reports Severall Amendments by them made to the faid Bill, which were read and Agreed to by the Councill, and the faid bill with the Amendments being read the third time.

Refolved That the faid Bill be Agreed to with the Amendments and Accordingly

Ordered That the Clerk of the Gen^l Affembly doe Carry the faid Bill with the Amendm^{ts} to the Houfe of Burgefles and Acquaint them that the Councill have Agreed thereto.

Charles

Charles Scarburgh Esq^r from the Committee to whome an Engrossed bill from the Burgeffes, Intituled, a Bill prohibiting the vnseasonable Killing of Deer was Comitted for Amendments, Reports severall amendments by them made to the said Bill which were Read and Agreed to by the Councill, And the Said Bill with the Amendments being read the third time,

Resolved That the said Bill be Agreed to with the Amendments, and Accordingly

Ordered That the Clerk of the Gen^l Assembly doe Carry the said Bill with the Amendments to the House of Burgeffes and Acquaint them that the Councill have Agreed thereto,

A Message from the Burgeffes by m^r *Wilson* who Acquaints their Honours that According to their desire the House had Agreed to a Conference, and had Appointed Eight of their Members to Manage the Said Conference and desires their Honours will be pleased to Appoint the time and Place for their Meeting, who Appointed Six of the Clock this Afternoon in the great Hall.

The Councill Adjourned till to Morrow Morning ten of the Clock.

Saterday May y^e 27th 1699

Present

HIS Excellency, *Rich^d Lee, William Byrd, Edw^d Hill, Edmond Jenings, Cha: Scarburgh, John Lightfoot, Math: Page, Benj^a Harrison* Esq^{rs}

M^r *Humphry Higinson's* Proposition of the Manufacture of Linnen, Cotton &c^a is referred to the Consideraçon of the House of Burgeffes.

The Councill Adjourned till Tuefday Morning ten of the Clock.

Tuesday May the 30th 1699.

Present

RICH^d LEE, Will^m Byrd, Edw^d Hill, Edmond Jenings, Cha: Scarburgh, John Lightfoot, Math Page, Benj^a Harrison Esq^{rs}

A Message from the Burgeffes by m^r *Cary* who brought up two Engrossed bills, whereto the Councill had Agreed, With severall Amendments, Intituled,

A Bill for the more Effectuall Suppreffing of Blasphemy, Swearing Curfeing Drunkenness and Sabbath breakeing,

A Bill for Prevention of Undue Elections of Burgeffes

and Acquaints their Honours that the Burgeffes had Agreed to severall of their Amendments, and to Others of the said Amendments they could not Agree, Therefore they pray their Honours Concurrence to the said Bill as it now is Agreed to, by the Burgeffes without any further Amendments.

Resolved That the Councill doe not Infist upon their Other Amendm^{ts}

Resolved, That the Bill do pass as it is now Agreed to by the Burgeffes, without any further Amendments,

A Message from the Burgeffes by m^r *Cary* who brought up severall Engrossed Bills from the Burgeffes, which they had Agreed to, and desired their Honours Concurrence (*viz^t*)

An Act for laying an Impoficon vpon Servants & Slaves Imported into this Country towards the building the Capitoll.

An Act for lessening the Levy by the Poll and laying an Impoficon vpon Liquors for and towards the building of a Capitoll and Other Publick Vses.

An Act Appointing a Treafurer.

An Act Appointing a Committee for the Reviseall of the whole body of the Laws in this His Majesty's Colony & Dominion

An Act for Confirming Titles to Town Lands.

All which bills were read the first time and Ordered a Second reading.

The Councill Adjourned till to morrow morning ten of the Clock.

Wedn'sday

Wedn'sday May y^e 31th 1699

Present

RICH^d LEE, Edw^d Hill, Edm^d Jenings, Charles Scarburgh, John Lightfoot, Mathew Page, Benj^a Harrison Esq^{rs}

An Engroffed bill from the Burgeffes, Intituled, *An Act for laying an Impofition vpon Servants & Slaves imported into this Country towards building the Capitoll*, read the Second time, and Ordered to lye vpon the Table for a third Reading

An Engroffed Bill from the Burgeffes, Intituled, *An Act for leffening the Levy By the poll and laying an Impofition vpon Liquors for and Towards the Building a Capitoll and Other publick Vfes*, read the Second time, and Ordered to lye upon the Table for a Third Reading.

An Engroffed Bill from the Burgeffes, Intituled, *an Act Appointing a Treasurer*, read the Second time, and Ordered to lye upon the Table for a Third Reading;

An Engroffed bill from the Burgeffes, Intituled, *an Act Appointing a Committee for the Revifeall of the whole body of the Lawes in this His Majesty's Colony and Dominion*, was read the second time, and Ordered a third reading.

An Engroffed bill from the Burgeffes, Intituled, *An Act for Confirming Titles to Town Lands*, was read the second, time & Ordered a Third Reading;

A Message from the Burgeffes by m^r Mafon who brought vp the booke of Claimes, and desired their Honours Concurrence thereto.

The Councill Adjourned till To morrow Morning ten of the Clock.

Thursday June y^e 1st 1699

Present

HIS Excellency, Rich^d Lee, William Byrd, Edw^d Hill, Edm^d Jenings, Cha: Scarburgh, John Lightfoot, Mathew Page, Benj^a Harrison Esq^{rs}

The Booke of Publick Claimes Sent from the Houfe of Burgeffes, read over, and Agreed to with an Amendment

Ordered

That the Clerke of the Gen^l Affembly doe Carry the faid Book of Claimes, to the Houfe of Burgeffes, and Acquaint them that the Councill have Agreed thereto with an Amendment, to which, their Honours desire the Concurrence of the Houfe.

Richard Lee Esq^r from the Committee to whome an Engroffed bill from the Burgeffes, Entituled, a Bill prohibiting the Exportacōn of Corne, Wheat, Meale or Biscuit till the 25th day of December 1700, was Comitted for Amendments, Reported severall Amendments by them made to the Said Bill, which were read, and Agreed to by the Councill, and the faid Bill with the Amendments being read the third Time;

Resolved That the faid Bill & Amendments be Agreed to,

Ordered, That the Clerk of the Gen^l Affembly, doe Carry the Bill and the Amendments to the Burgeffes and desire their Concurrence thereunto,

Rich^d Lee Esq^r from the Committee to whom an Engroffed bill from the Burgeffes, Intituled, a bill for Ascertainning the rate and Value money shall pafs at, was Comitted for Amendments, Reported certain Amendments by them made to the faid Bill, which were Read,

And the Councill Entered upon the Confideracōn and debate of the faid Bill, the Subject Matter whereof being of very great Importance to this His Majestys Colony & Dominion, & the Ascertainning the Standard and Value of Coin in all Nations & Country's being alwayes Esteemed as the greateft and moft Intricate Difficultyes of their States & Governments, and Requireing the moft deliberate Confideracōn and the beft Advice & Affiftance that can poffibly be procured, therefore they Are of Opinion that it may be better and more Advantageoufly performed by the Committee Appointed for the Revifeall of the Lawes, whereupon;

Resolved That the faid bill is not Agreed to;

Resolved

Resolved That an Instruc^{on} be given to the Com^{it}tee Appointed for the Reviseall of the Lawes, that they Consider of the Safest, best, and most Expedient, Advantageous, & Equall wayes, and Means for the Makeing of money more Currant and passable in this His Majesty's Colony and Dominion, and prepare a bill Accordingly

Ordered

That the Clerk of the Gen^l Assembly, doe goe to the House of Burges^{ses}, and Com^{and} their Imediate Attendance vpon his Excellency in Councill in the Great Hall.

The Burges^{ses} being come into the Great Hall His Excell^{cy} delivered to the Speaker, Some of his Majestyes Royall Instruc^{ons} to him, relateing to the Collectors & Navall Officers and the Trade of this his Maj^{tyes} Colony & Dominion, And Since by the Said Instruc^{ons} his Maj^{ty} had been pleased to Com^{and} him to put those Different Offices into the Charge of Severall persons which before were usually Com^{it}ted to me, He recom^{ended} it to the House of Burges^{ses}, that they would Ascertain Such reasonable fees as they shall think Neccessary to be taken by the Said Officers, and that they prepare a bill to pass this Sess^{ion} Accordingly.

Then His Excell^{cy} was pleased to Expre^{ss} himself as followeth.

M^r Speaker & Gentlemen of the House of Burges^{ses}

From Some of the worthy [See J. of H. of B., p. 190.]

A Mess^{age} from the Burges^{ses} by M^r Cary that they pray his Excellency will be pleased to Signify his Com^{ands}, relateing to the buis^{ness} of *Nanfemund*, unto them in Writeing.

Ordered

That the Clerke of the Gen^l Assembly doe Carry to the Burges^{ses} a True Copy of his Excell^{cy}s Speech to them relateing to the Buis^{ness} of *Nanfemund*.

The Councill Adjourned till to Morrow Morning Ten of the Clock.

Friday June y^e 2^d 1699

Present

HIS Excellency, Rich^d Lee, W^m Byrd, Edw^d Hill, Edm^d Jenings, Cha: Scarburgh, John Lightfoot, Math Page, Benj^m Harrison Esq^{rs}

An Engrossed bill from the Burges^{ses} Intituled *An Act Appointing A Com^{it}tee for the Reviseall of the whole body of the Laws in this his Maj^{tyes} Colony & Dominion*, was read the third time, and Some Amendments made thereto by the Councill.

Resolved

That the Said Bill with the Amendments be Agreed to,

An Engrossed bill from the Burges^{ses}, Intituled, *An Act for Confrmeing Titles to Town lands*, was read the Third time, and Severall Amendments made thereto by the Councill;

Resolved

That the said Bill with the Amendments is Agreed to,

A Mess^{age} in Writeing by m^r Cary from the House of Burges^{ses}, to his Excell^{cy} as followeth

May it please yo^r Excell^{cy}

Yo^r Excell^{cy} haveing been pleased [See J. of H. of B., p. 190.]

Ordered

That the Clerk of the Gen^l Assembly doe Carry the following bills to the House of Burges^{ses}, and Acquaint them that the Councill have Agreed to the Same, with Some Amendments, to which Amendments their Honours desire their Concurrence to Witt.

An Act Appointing a Com^{it}tee for the Reviseall of the whole body of the Lawes in this his Maj^{tyes} Colony & Dominion,

An Act for Confrmeing Titles to Town lands.

Rich^d

Rich^d Lee Esq^r from the Committee Appointed to Consider & Settle the Disputes & Controversies Concerning Claimes & Titles to Lands in *Pamunky* Neck, and on the Southside of the *Black water* Swamp, Reported Severall Resolucons that the Said Committee had Agreed upon, which were read, & Agreed to by the Councill and,

Ordered

That the Clerke of the Gen^l Affembly doe Carry the Said report to the House of Burgeffes & desire their Concurrence thereunto.

The Councill Entred into Debate vpon the Subject Matter of the Conference with the Burgeffes, concerning Severall Offences & Crimes, Comitted by the Indian Called Squire *Tom*, and forasmuch as it is not Certainly known where the Said Indian is to be found, or whether he is within this Governm^t or not; And by the Informacon of the persons Appointed to goe to the *Piscatoway* Indians to Inquire for the said Indian *Tom*, it appears that the said *Piscatoway* Indians are Setled in an Island in *Potomeck* River, About Seventy Miles above any *English* Inhabitants, and by the Informacon of Such persons as Inhabitt and are most Knowing & best Acquainted with the Affairs of that part of the Country, It is Manifest that the Islands in *Potowmeck* are reputed to belong to the Province of *Maryland*, therefore the Councill are of Opinion, that it is not Convenient to send to the *Piscatoway* Indians to demand the Said Indian *Tom*, (especially Since it is not certainly Apparent that he is harboured by them), but forasmuch as it is of great Import to the peace & Quiet of this his Majesty's Government that the said Indian be brought to Condigne punishment for those Notorious Crimes whereof he is Guilty

Resolved

That it is for the Service of his Maj^{ty} & of this his Colony & Dominion that a proclamacon requiring all persons whatsoever to apprehend the said Indian *Tom*, if he shall at any time be found within this Government, and the better to Encourage all persons to doe their duty herein, that a Reward of ten pound *Ster.* be given unto any such person or persons Christians or Heathens as Shall Apprehend the Said Indian *Tom*, and bring him or Cause him to be brought before any of his Maj^{ties} Justices of the peace in this his Colony and Dominion that he may be proceeded against According to Law and,

Ordered

That a proclamacon be prepared Accordingly

Resolved

That it is for the Service of his Maj^{ty} & of this his Colony and Dominion, that Intimacon of the Notorious Crimes Comitted by the said Indian *Tom*, be given to his Majestyes Cap^t Generall and Govern^r in Cheife of his Province of *Maryland*, and that he be requested and desired to take Such Lawfull Methods, as to him shall be thought requisite for the Apprehending of the Said Indian *Tom*, if he is or Shall be within that Government and if he shall be found there, that he may be delivered up to the Governm^t of this His Maj^{ties} Colony & Dominion, in Order to his being brought to Justice, and Punished According to the Demerits of his Crimes.

A Message from the Burgeffes by m^r *Mason* that they had agreed to the Amendments propofed by the Councill to the book of publick Claimes and to the following bills to Witt.

An Act appointing a Committee for the Reviseall of the whole body of the Lawes in this his Majestyes Colony and Dominion,

An Act Confirmeing Titles to Town lands, and that they have amended them Accordingly.

His Excell^{cy} haveing received an Addrefs from the Burgeffes by m^r *Custis* was pleased to Communicate the Same to the Councill which is in these words

To His Excell^{cy} Francis Nicholson Esq^r his Majestyes L^t & Govern^r Gen^l of Virginia

The humble Addrefs of the House of Burgeffes

May it please yo^r Excell^{cy}

Wee His Maj^{ties} most Loyall [See J. of H. of B., pp. 186-189.]

The Councill Adjourned till to Morrow Morning ten of the Clock.

Saturday

Saturday June y^e 3^d 1699

Present

RICHARD LEE, William Byrd, Edward Hill, Edm^d Jenings, Cha: Scarburgh, Math: Page, Benj^a Harrison Esq^{rs}

A Message from the Burgeffes by M^r Wilson that they had Agreed to an Engrossed Bill Intituled *An Act for Confirmeing titles to Town Lands*—with the Amendments thereto propofed by the Councill

The Councill Adjourned till *Monday Morning* ten of the Clock.

Monday June y^e 5th 1699.

Present

HIS Excellency, Rich^d Lee, Will^m Byrd, Edw^d Hill, Cha: Scarburgh, Math: Page, Benj^a Harrison Esq^{rs}

His Excell^{cy} was pleased to Communicate to the Councill an Addrefs he had received from the House of Burgeffes by M^r Leigh which was read in these Words to Witt.

To his Excell^{cy} Francis Nicholfon Esq^r his Maj^{ties} Leiu^t & Govern^r Gen^l of Virginia.

May it please yo^r Excell^{cy}

The House of Burgeffes [See J. of H. of B., p. 193.]

Whereupon *Ordered*, That m^r Attorney Generall doe prosecute the Said Maj^r Thomas Godwin & Andrew Rofs as the Law direct

Post Merediem.

PRESENT as afore & John Lightfoot Esq^r

A Message from the Burgeffes by m^r Harrison that they doe Concurr with the Councill, in their Agreeing to the Report of the Committee, Appointed to Consider & Settle disputes & Controversies concerning Claimes & Titles to Lands in *Pamunky Neck* and on the South side of *black water Swamp*.

The Councill Adjourned till to morrow Morning ten of the Clock.

Tuesday June y^e 6th 1699.

Present

HIS Excellency, Rich^d Lee, Edw^d Hill, Cha: Scarburgh, John Lightfoot, Math: Page, Benj^a Harrison Esq^{rs}

A Message from the Burgeffes by m^r Custis that they had agreed upon an Addrefs to his Excell^{cy} for restraining the Striking and Killing of whales within the Capes of *Virginia* to which they desired their Honours Concurrence which being read, & Some Amendments being propofed thereto, that the Same may be dispatched with the greater Expedition

Ordered that the Clerk of the Gen^l Affembly doe goe to the House of Burgeffes and desire them to Appoint two of their Members to be joyned with one of the Councill to prepare the said addrefs—Charles Scarburgh Esq^r is Accordingly Appointed to be Joyned with the Said Two Members of the House of Burgeffes to Agree upon the Said Addrefs.

A Message from the Burgeffes by Coll Ludwell that they had Agreed to the following bills whereto they desired their Honours Concurrence (to Wit)

An Act directing the building the Capitoll and the City of Williamsburgh &c^a

An Act Ascertainning Collectors and Navall Officers fees.

An Act for raising a Publick Levy which Said Bills were Read the first time, and Ordered a Second reading.

A Message from the Burgeſſes by Coll. *Ludwell*, that they had Agreed to the proportions of the publick Claimes to w^{ch} they deſired their Honours Concurrence w^{ch} proportions being read were Agreed to by the Council

An Engroſſed bill from the Burgeſſes Intituled, *an Act for leſſening the Levy by the Poll and laying an Impoſition vpon Liquors for and towards the building the Capitoll, and Other Publick, uſes* was read the third time, and *Resolved*

That the ſaid bill doe paſs.

Ordered that the Clerk of the Gen^l Affembly doe Carry the Said Bill to the Burgeſſes and Acquaint them that the Council have Agreed thereto.

An Engroſſed bill from the Burgeſſes Intituled, *an Act Appointing a Treafurer*, being read, and Some Amendments made thereto by the Council the Bill with the Amendments was read the third time and—

Resolved

That the Bill with the Amendments doe paſs.

Ordered that the Clerk of the Gen^l Affembly, doe Carry the bill with the Amendments to the Houſe of Burgeſſes & Acquaint them that the Council have Agreed thereto with the Said Amendments whereto their Honours deſire their Concurrence.

Ordered.

That the Clerk of the Generall Affembly doe goe to the Houſe of Burgeſſes and Comand their Imediate Attendance vpon his Excellency in Council in the Great Hall.

And Accordingly the Burgeſſes Attend his Excellency in Council who recommends to them the Raiſeing more money than they have Already done, and propoſes to them that a Greater Impoſicon may be laid vpon Servants and Slaves than what they have already agreed vpon. And Affures them that whatſoever money they raiſe, it Shall be truly Applied to the uſes whereto it Shall be Appropriated; His Excell^y alſo recommends to them to draw Such bonds as are proper to be Entred into by the Treafurer, & Receiver of the *Virginia* duties, purſuant to the Acts made this preſent Seſſion for thoſe purpoſes.

An Engroſſed bill from the Burgeſſes Intituled, *an Act for laying an Impoſicon vpon Servants & Slaves imported into this Country towards Building the Capitoll*, was read, and Some Amendm^{ts} made thereto, by the Council, the bill was read the third time with the Amendm^{ts} and

Resolved

That the Bill doe paſs.

Ordered

That the Clerk of the Generall Affembly doe Carry the Bill with the Amendments to the Houſe of Burgeſſes, and Acquaint them that the Council have Agreed thereto, with the ſaid Amendments, whereto their Honours deſire their Concurrence.

An Engroſſed bill from the Burgeſſes—Intituled, *an Act directing the building the Capitoll and the City of Williamsburgh* was read the Second time & Ordered to be read the third time,

An Engroſſed bill from the Burgeſſes, Intituled, *An Act Aſcertaining Collectors and Navall Officers fees*, was read the Second time,—and Ordered to be read the third time
The Council Adjourned till to—Morrow Morning ten of the Clock—

Wednesday June y^e 7th 1698 [1699]

Preſent

HIS Excellency, Rich^d Lee, Edw^d Hill, Edm^d Jenings, Char: Scarburgh, John Lightfoot, Math. Page, Benj^a Harrifon Elq^{rs}

A Message from the Burgeſſes by m^r Leigh That they had Agreed to an Engroſſed bill Intituled, *an Act for laying an Impoſition vpon Servants & Slaves Imported into this Country, towards the building the Capitoll*, with the Amendments, thereto, propoſed by the Council and had Amended the bill Accordingly.

A Message from the Burgeffes by *m^r Leigh* that they had Agreed to an Engrossed bill, Intituled *an Act Appointing a Treasurer*, with all the Councils Amendments only in the Clause proposed by the Council to be Added to the Said bill. the Burgeffes had made Some Amendm^{ts}—whereto they desired their Honours Concurrence; then the Bill & the Amendments together with the Amendments proposed by the Burgeffes—were read & agreed to, and

Ordered that the Clerke of the Gen^l Assembly doe Carry the said Bill with the Amendments to the Burgeffes & Acquaint them that they had Agreed thereto with the Amendm^{ts} as the Burgeffes proposed.

Ordered That it be given as an Instruccon to the Committee Appointed to Revise the whole body of the Laws that they Consider of the most proper Method of preparing and Issuing Comicons for the Officers of the Militia and all Other Officers, & of the most Equall way to defray the Charge thereof—

An Engrossed bill from the Burgeffes Intituled *an Act directing the building the Capitoll and the City of Williamfburgh &c^a* being read and Some Amendments made thereto by the Council the bill with the Amendments was read the third time and,

Resolved, that the Bill with the Amendm^{ts} doe pass.

Ordered, That the Clerk of the Generall Assembly doe Carry the said Bill with the Amendments to the House of Burgeffes and Acquaint them that the Council, have Agreed thereto with the Said Amendments, whereto their Honours desire their Concurrence.

An Engrossed bill from the Burgeffes Intituled, *An Act Ascertainning Collectors & Navall Officers fees*, was read the third time, and

Resolved

That the Bill doe pass.

Ordered, That the Clerk of the Gen^l Assembly doe Carry the said bill to the Burgeffes & Acquaint them that their Honours have agreed thereto without any Amendments.

An Engrossed bill from the Burgeffes Intituled *an Act for Raising a Publick Levy* was read the third time &—

Resolved

That the Bill doe pass

Ordered That the Clerk of the Generall Assembly doe Carry the said Bill to the Burgeffes and Acquaint them that their Honours have Agreed thereto, without any Amendment.

Ordered That the Clerk of the Generall Assembly doe lay before the House of Burgeffes, the proceedings of the Council, upon an Engrossed bill, Intituled a Bill for Ascertainning the Rate and value of money shall pass at.

William Byrd Esq^r Present

The House of Burgeffes haveing Agreed vpon Orders for the paym^t of Severall Sumes of money due from the Publick, laid the Same before the Council, which were Accordingly read & Agreed to by the Council.

Ordered: That the Clerk of the Gen^l Assembly doe Carry the said Orders to the House of Burgeffes, & Acquaint them the Council have Agreed thereto

A Message to his Excellency from the Burgeffes by *M^r Cary* that they had prepared an humble Address to his Majesty, and desired to Know when they might waite vpon his Excellency to present the Same to him, that it may be laid before his Majesty Wherevpon his Excellency Appointed this Afternoon After Evening Prayers

Post Meridiem

ACCORDING to his Excellencies Appointm^t this day, *m^r Speaker* & the House of Burgeffes waited upon his Excellency in Council, and presented an Humble Address to his Majesty which they had prepared, and prayed that his Excell^{cy} would be pleased to use his Interest that the Same might be laid before his most Sacred Majesty.

A Message from the Burgeffes by Mr *Buckner* that [they] had Agreed to an Engrossed bill, Intituled, *an Act directing the building the Capitoll & the City of Williamsburgh &c* with the Amendm^{ts} thereto proposed by their Honours and had Amended the Bill Accordingly.

The Councill Adjourned Till to Morrow Morning ten of the Clock.

Thursday June the 8th 1699.

Present

HIS Excellency, *Richard Lee, William Byrd, Edw^d Hill, Edm^d Jennings, Cha: Scarburgh, John Lightfoot, Math: Page, Benj^a Harrison Esq^r*

A Message to his Excell^{cy} from the Burgeffes by m^r *Cary* that they had dispatched Everything that had been recommended to them by his Excell^{cy} this Session, that at present they had Nothing lying before them to be proceeded upon, and therefore they Waited his Excellencies further Commands.—

Ordered That the Clerk of the Generall Assembly doe goe to the House of Burgeffes and Command their Immediate Attendance upon his Excellency in Council in the Great Hall, and that they bring with them All Such Bills as have been Agreed upon this Session.

Accordingly m^r *Speaker* and the House of Burgeffes being come into the Great Hall, His Excellency caused the New Seale which his Maj^{ty} had been pleased to bestow upon this his Colony and Dominion of *Virginia* to be produced & publica^{co}n was made of the Order for vseing the Same in all the publick Affairs of the Governm^t and that the Other Seale should be broken or defaced, And his Excellency in the presence of the Councill & Burgeffes Affixed the said new Seale to a proclama^{co}n, which they had agreed to Appointing a Solemn day of thanksgiving to Almighty God for his great Mercy and blessings bestowed upon his Majesty's Sacred & Royall person & vpon this his Colony and Dominion.

Then His Excellency gave his Assent to the following Bills to Witt:

An Act for the more Effectuall Suppressing of Blasphemy, Swearing, Curseing, Drunkenes & Sabbath breaking.

An Act for Prevention of Undue Elecc^{ns} of Burgeffes.

An Act to prevent the Discontinuance of Courts & procefs.

An Act for Regulateing of Juries.

An Act for Restraining & Punishing of of Pyratts & Privateers

An Act for the Punishment of Slaves for the first & Second Offence of Hogstealing.

An Act Appointing a Committee for the Reviseall of the whole body of the Lawes of this his Majesty's Colony and Dominion.

An Act prohibiting the Exporta^{co}n of Indian Corne till the 25th of December 1700.

An Act for Confirming titles to Town Lands.

An Act for Lessning the Levy by the Poll and laying an Imposi^{co}n upon Liquors for and Towards the building a Capitoll and Other publick uses.

An Act Ascertainning Collectors and Navall Officers fees.

An Act directing the building the Capitoll, and the City of Williamsburgh &c

An Act Appointing a Treasurer.

An Act for Raiseing a publick Levy.

Then His Excellency was pleased to prorogue this Generall Assembly till the 9th day of November Next.

Examinat: et Concord cum Original

Test: Benj^a: Harrison, Cl: Gen: Assenl:

AT A

GENER^{LL} ASSEMBLY

begun at his Maj^{ty} Roy^{ll} College of *W^m & Mary* adjoyning to
y^e City of *Williamsburgh* upon *Thursday* the fifth of *Decemb^r*
1700 and in the twelfth year of the Reigne of our Sovereigne
Lord *William* the third by the Grace of God of *England*
Scotland ffrence & Ireland and *Virginia* King Defend^r of y^e
ffaith et^a

At a Gener^{ll} Affembly begun at his Maj^{ts} Roy^{ll} College of *W^m & Mary* adjoyning to y^e City of *Williamsburgh* upon *Thursday* the fifth of *Decemb^r* 1700 and in the twelfth year of the Reigne of our Sovereigne Lord *William* the third by the Grace of God of *England Scotland France & Ireland* and *Virginia* King Defend^r of y^e ffaith et^a.

[*December 5th 1700*]

Present

HIS Excellency *Francis Nicholson* Esq^r his Maj^{ty} L^t & Govern^r Gen^{ll} of this his Maj^{ty} most ancient & great Colony & Dominion of *Virginia*—*Edm^d Jenings*, *John Lightfoot* Rob^t *Carter* Esq^{rs}

His Excellency haveing been pleased by his Comission under y^e Seale of y^e Colony to Constitute *Dionisius Wright* of y^e County of *James City* Clerke of y^e Gener^{ll} Affembly, he did accordingly take y^e Oaths appointed by act of Parliament to be taken instead of y^e Oaths of allegiance & Supremacy and haveing subscribed y^e Affociation & test appointed by act of Parliam^t did take y^e Oath of Clerke of y^e Gener^{ll} Affembly and was ord^d to attend accordingly—

A Comission Impowering *Edm^d Jenings* Esq^r *John Lightfoot* Esq^r & *Rob^t Carter* Esq^r or any two of them to administer y^e Oaths Affociation & Test & y^e Oath of Burgefs to y^e Gent. of y^e house of Burgeffes was read in y^e Gen^{ll} Court house in y^e Audience of severall Burgeffes who to y^e number of thirty three were then sworne.

His Excellency haveing by his Comission und^r the Seale of y^e Colony Constituted *W^m Randolph* of y^e County of *Henrico* Gent. Clerke of the house of Burgeffes he took y^e Oaths appointed by act of parliam^t to be taken instead of y^e Oaths of Allegiance and Supremacy & then haveing subscribed y^e Affociation & test took y^e Oath of Clerke of the house of Burgeffes.

the Councill adjourn'd till tomorrow morning ten of y^e Clock.

Friday Decemb^r 6th 1700

A MESSUAGE from y^e Burgeffes by *Miles Cary* Gent: who acquainted his Excellency that the Burgeffes were mett and waited to know his Excellencies Comands—

Ord^d that y^e Clerke of the Gener^{ll} Affembly go to y^e house of Burgeffes & Comand their Imediate attendance upon his Excellency in Councill in his Excellencies Bed Chamber—

The Gent: of y^e house of Burgeffes being come into his Excellencies Bed Chamb^r his Ex^{cy} Comand^d them to Affemble in their house and to choose one of their members to be their Speaker—

Councill adjourn'd till to morrow morning Nine of the Clock—

Saterday

Saterday Decembr. 7th

LIGHTFOOT absent

A Messuage from the house by *Miles Cary* Gent—
May it please yo^r Excellency.

I am Comand^d by the house of Burgeses to acquaint yo^r Excellency that they have proceed^d to the Choice of a Speaker, and they waite to know yo^r Excellencies pleasure to appoint a time when they shall present him—

His Excellency Dismiss^t y^e messuage wth this answer that he would Signify his pleasure therein by a Messuage to y^e house—

Ord^d that y^e Clerke of y^e Gen^l Assembly go to y^e house of Burgeses and acquaint them that considering there are at present but few of his Maj^{ty} Hon^{ble} Councill in town. And that it is late of *Saturday* in y^e afternoone that therefore he refers y^e time for y^e house to present their Speaker untill *monday* morning next.

Councill adjour'nd till *monday* morning ten of y^e Clock—

Monday Decembr. 9th 1700

Present

HIS Excellency, *Edm^d Jennings, John Lightfoot, Rob^t Carter Esq^{rs}*

Ord^d that y^e Clerk of y^e Gen^l Assembly go to the house of Burgeses & Comand their Immediate attendance upon his Excellency in Councill in his Excellencies Bed Chamber—

The Burgeses attend his Ex^{cy} & wth low obeisance Present *Peter Beverley* of the County of *Glocester* Gent as their Speaker—

Peter Beverley Gent. being presented by y^e house of Burgeses as their Speaker humbly Excuseth himself to his Excellency & prays—

That in Consideration of y^e great & weighty affaires that may ly under the Consideration of y^e house this Sessions y^e honour of y^e house & his own personal disabilities his Excellency will be pleased to Comand y^e house to proceed to y^e Election of some other for their Speaker—

His Ex^{cy} answered that he did not doubt but y^t y^e house was very well satisfied wth his Sufficiency & abilities that therefore he approved the Burgeses Choice and Would not allow of his Excuse.

Whereupon M^r *Speaker* humbly prayed his Excell^{cy} that in whatsoever he said his personal failings thro^o inadvertency might not redound to y^e prejudice of the house of Burgeses or any member thereof but might be amended—

Then M^r *Speaker* in behalf of y^e house of Burgeses and of all y^e Coⁿsalty of *Virg^a* prayed that y^e house might Enjoy all their ancient priviledges, have at all times when occation required, and his Excellency pleased to appoint free access unto his Ex^{cy} that y^e whole house and Every perticular member thereof. their Servants, & estates might be free from arrefts and that in all their Conferences & Consulta^ons in y^e house they might Enjoy y^e freedom & priviledge of Debate

M^r *Speaker* haveing end^d his Oration his Ex^{cy} Expressed himself to this Effect—

That he had always in his care that he granted their requests for access to himself and for their Liberty & priviledge in as ample manner as they have formerly Enjoyed them that he would not in y^e Least indeavour to lessen or Diminish them, but rather as much as in him lay to Augm^t and Advance them—

Then his Excellency was pleased to make y^e following Speech—

Gent.

I am very Sorry [See J. of H. of B., 1695-1702, pp. 208-9.]

A Peti^on presented by *Edw^d Rofs* that he might be Comissionated to Carry the Mace before y^e Speaker was read and y^e Same referred to y^e Consideration of y^e house of Burgeses—

Councill adjourn'd till tomorrow morning nine a Clock—

Tuesday

Tuesday December 10th 1700—

Present

HIS Excellency—*W^m Byrd. John Lightfoot. Edm^d Jennings, Rob^t Carter Esq^r*
A Messuage from y^e house of Burgeffes by *Miles Cary Gent.* who presented his Excell^{cy} wth the following addrefs, was read—

To his Ex^{cy} Fra: Nicholson Esq^r his Maj^{ty} Leiv^t & Govern^r Gen^l of Virg^a—

The humble addrefs of y^e house of Burgeffes

May it please yo^r Ex^{cy}

The house of Burgeffes haveing [See J. of H. of B., p. 208.]

Ord^d y^e y^e Kings Lre Concern^s the Marquels *de La Muce* & y^e settlem^t of y^e french refugees dated 18 *Mar:* 1700 & y^e ord^r of Councill thereupon Mon^r *De Saillees* Lre of y^e 26: *o^rob^r* 1700 the Ord^r of Councill dated at *Westopher Novemb^r* 14: 1700 about *Saillee* the Marquils *de La Muce* his Lre dated y^e 3: *Xbr* 1700 and the Supplication of fever^l of the french Refugees be refer'd to y^e Confideraçon of y^e house of Burgeffes—

Edm^d Jennings Esq^r his petiçon praying that it may be declared how and by whom y^e fifty po^ds of Tob^o ascertained by Law to be paid for each Comiçon for y^e militia shall be paid is referred to y^e house of Burgeffes—

Ord^d that all papers relateing to y^e apprehending & tryall of y^e pyrates & his Maj^{ty} Lre of y^e 10th of *Novemb^r* 1699 & of y^e 10th of *ffeb^r* 1699 relateing to y^t subjeçt & all ord^{rs} of Councill Concerning the Same matter be with all Speed prepared in a readinefs & laid before y^e house of Burgeffes.

Councill adjourn'd till tomorrow morning ten of y^e Clock—

Wednesday December 11th 1700

A MESSAGE from y^e house of Burgeffes by *Miles Cary Gent.* who presented his Ex^{cy} with this following resolve of y^e house.

By the house of Burgeffes.

Resolved. That y^e house is inclinable to proceed upon no matters but what upon Consideration shall be found absolutely necessary to be proceed^d upon this Sessïon

Ordered.

That A Messuage be forthwith sent to his Ex^{cy} & y^e Hon^{ble} Councill to acquaint them with this Resolve—

W^m Randolph Cl ho: Burg:

Ordered that y^e Clerke of the Gen^l Asssembly go to the house of Burgeffes & acquaint them that his Ex^{cy} is very well satisfied with y^e resolve of y^e house viz^t that they will proceed upon nothing this Sessïon but is absolutely necessary one of w^{ch} that comes under that notion and circumstance his Ex^{cy} conceives to be y^e matter concerning the french Refugees all w^{ch} is ord^d to be laid before y^e house and also to desire y^e house to take into their Consideration y^e proceedings of y^e Committee appointed to Revise y^e Laws. in respect to y^e merits of y^e Claimes thereupon, and lastly to acquaint the house that all y^e papers relateing to y^e Pyrates the Rangers in *Stafford County* & all other Claimes shall with all Convenient Speed be drawn out & laid before y^e house.—

Councill adjourn'd till to morrow morning nine of y^e Clock—

Thursday Decemb^r 12th 1700.

Present

HIS Excellency—*W^m Byrd, Edm^d Jennings, John Lightfoot, Robert Carter Esq^r*

Ord^d that y^e Clerke of y^e Councill prepare in readinefs all y^e sever^l petitions propositions & agreviances this day read in Councill & refered to y^e Confideraçon of y^e house of Burgeffes as also y^e Gen^l Lift of y^e tithables, and untithables & y^e muster rolls of y^e Severall Counties in this his Maj^{ty} Colony & Dominion of *Virg^a* that y^e Same may be sent to the house of Burgeffes—

The Councill adjourn'd till to morrow morning ten of y^e Clock—

Friday

Friday Decemb: 13th 1700

THE Clerke of the Councill haveing prepared all y^e papers according to y^e ord^r of yesterd^y *Ordered* that y^e Same together wth all y^e Claimes & papers belonging to y^e Pyrates & to y^e Rang^{rs} in *Stafford* County be now laid before y^e house of Burgeffes & y^t y^e Clerke of y^e Gen^l Affembly acquaint y^e house that y^e Originall Lift of tithables and untithables & y^e Muster rolls of each respective County is to remaine here upon record in y^e Secretaries office & two faire Copies thereof to be tranfmitted for *England*.

The Councill adjourn'd till *monday* morn^g nine of y^e Clock.

Monday Decemb^r 16th 1700

Present

HIS Excellency. *Edm^d Jenings, Matt: Page, Benj^a Harrifon, Rob^t Carter Esq^{rs}*
Ord^d that y^e Clerke of y^e Gener^l Affembly do go to y^e house of Burgeffes and Comand their Imediate attendance upon his Ex^{cy} in Councill in y^e Gen^l Court house—

The Burgeffes attending his Ex^{cy} was pleased to Exprefs himself thus—

Hon^{ble} Gent.

I thank God [See J. of H. of B., pp. 220-1.]

The Council adjourn'd till *Wednesday* morning nine of y^e Clock.

Wednesday December 18th 1700—

Present

HIS Excellency, *Wm Byrd, Edm^d Jennings, John Lightfoot, Matt: Page, Ben: Harrifon, Rob^t Carter, Esq^{rs}*

A meffuage from y^e house of Burgeffes by *Wm Leigh* Gent. who presents his Excellency wth a refolve of y^e house dated *Tuesday Decemb^r 17th 1700* in y^e following words—

Decemb^r 17th 1700

Refolved

that a Meffuage be sent to give his Excell^{cy} the thanks of y^e house for y^e favour of his Speech yesterday, and y^e Communicating y^e Lre mentioned in y^e f^d Speech the following resolves were then also presented *viz^t*

College of *W^m & Mary* fs

By the house of Burgeffes

Tuesday December 17th 1700

Refolved.

that y^e Records of this Governm^t w^{ch} ftill remaine at *James City* be with all Convenient Expedition removed from thence to y^e place appointed for keeping the Secretaries office in his Maj^{ty} Royall College of *William & Mary* adjacent to y^e City of *Williamsburgh* According to y^e petiçon of *Edm^d Jenings* Esq^r Deputy Secret^y made to his Ex^{cy} & y^e Hon^{ble} Councill in y^t respect

Refolved

That y^e records & papers belonging to this house & now lodged at *James City* be with all convenient Expediçon removed from thence & placed in y^e Chamber appointed for y^e Clerke of this house in his Maj^{ty} Roy^l College of *W^m & Mary* adjacent to y^e City of *Williamsburgh*—

Ordered.

that a Meffuage be sent to y^e Councill to desire their Concurrence to y^e resolves of this house touching y^e removall of y^e records belonging to y^e Secret^ys Office & to this house.

Test W^m Randolph Cl: H: Burg.

His

His Excellency and y^e Councill concurr wth y^e houle in y^e precedent resolves & y^e Hon^{ble} *Edm^d Jenings* Esq^r is requested to caufe y^e Same to be done with all convenient Speed—

Ordered

That y^e Clerk of y^e Gener^l Affembly do go to the houle of Burgeffes and acquaint them that his Ex^{cy} & his Maj^{ties} Hon^{ble} Councill concurs wth them in their resolves of removeing y^e records mentioned in y^e f^d resolves and that y^e fame shall be done with all convenient expedition & placed in the places appointed for them in his Maj^{ties} Roy^{ll} College of *William and Mary*.

The Councill adjourn'd till *Saterday* morning ten of y^e Clock—

Saterday Decemb^r. 21st. 1700

Present

HIS Excellency, *W^m Byrd, Edm^d Jenings, Jn^o Lightfoot, Matt: Page, Ben: Harrison, Rob^t Carter*, Esq^{rs}

An Engrossed bill from the Burgeffes entituled a Bill makeing y^e french refugees inhabiting at y^e *Manakin* town & y^e parts adjacent a distinct parish by themselves exempting them from y^e paym^t of publick and County Levy's for Seven yeares was read y^e first time & ordered to Ly upon y^e table for a Second reading—upon reading thereof

Ordered.

That y^e Clerke of y^e Gener^l Affembly go to y^e houle of Burgeffes and acquaint them that upon reading the afore^d bill the Councill desires a free Conference Immediately to be held in y^e Gen^l Court houle by three of their Number to Confer with such a number of that houle as they shall appoint on y^e subject matter of that byll—

The Hon^{ble} *W^m Byrd* Esq^r *Ben: Harrison & Rob^t Carter* Esq^r are appointed to manage y^e Conference upon this following subject that they have hitherto subsisted upon y^e Charity of y^e people in those parts, & without some Continuaçon of such Charitable act are not likely to subsist & without that y^e bill now prepared can be of small advantage

An Engrossed byll from y^e Burgeffes Entituled a byll for Continuing y^e act prohibiting the Exportaçon of Indian Corne read y^e first time and ord^d a Second reading—

The Councill adjourn'd till three of y^e Clock in y^e afternoon

Post Meridiem

THE Hon^{ble} *W^m Byrd* Esq^r *Benj: Harrison* Esq^r & *Rob^t Carter* Esq^r being appointed to manage a Conference with some of y^e members of y^e houle of Burgeffes concerning an Engrossed byll Entituled a byll makeing the french Refugees Inhabiting at y^e *Manakin* towne and parts adjacent a distinct parish by themselves and Exempting them from y^e paym^t of publick & County Levies for Seven yeares. Report y^t according to order they have had a Conference in the general court houle with Six members of the houle of Burgeffes upon y^e subject matter of that byll and y^t y^e Burgeffes will report the subject matter of y^e Conference to y^e houle and returne their answer—

An Engrossed byll from y^e Burgeffes Entituled a bill for Continuing y^e act prohibiting the Exportaçon of Indian Corne was read y^e Second time & ordered a third reading—

The Councill adjourn'd till five a Clock

Five

Five of y^e Clock

ALRE from Cap^{tn} *Paffenger* Comand^r of his Maj^{ty} Shipp *Shoreham* dated this *Instant Decembr 21st* referred to y^e house of Burgefes.

An Engrossed byll from the Burgefes Entituled a bill Continuing y^e act prohibiting the Exportaçon of Indian Corne was read the third time

Resolved that the bill do pafs

Ordered

That y^e Clerke of y^e Gener^{ll} Affembly do Carry y^e said byll to y^e house of Burgefes & acquaint them that y^e Councill have assented thereunto.

The Hon^{ble} W^m Byrd Esq^r *Benj. Harrison* Esq^r & *Robert Carter* Esq^r do report that y^e Gent of y^e house of Burgefes appointed to Conferr with them Concerning y^e byll for makeing the *french* Refugees inhabiting at y^e *Manakin* towne & parts adjacent a distinct parish by themselves *et^a* reported to them that y^e house of Burgefes had resolved not to raife any thing upon y^e publick for y^e reliefe of y^e afores^d *french* Refugees.

The Councill adjourn'd till *Monday* morning ten of y^e Clock

Monday Decembr 23: 1700

Present

HIS Excellency, W^m Byrd, Edm^d Jenings, John Lightfoot, Matt: Page, Ben: Harrison, Rob^t Carter, Esq^r

Ordered

That y^e Clerke of y^e Gen^{ll} Affembly go to the house of Burgefes and Comand their Immediate attendance upon his Excellency in Councill in the Gen^{ll} Court house—

The Burgefes being come into y^e Gen^{ll} Court house his Ex^{cy} was pleased to Expreß himselfe thus.

Gent.

I have made a strict and diligent Enquiry into y^e state and Condition of y^e *french* protestants Refugees & find that they have no fund to Supply their wants and have ever since their arrivall hitherto been Supported by the Charity of Sever^{ll} pious Gent. I find their Condition so deplorable that without a Continuance of such Charity at Least till they may reap this next Cropp they must inevitably perish and therefore have Caused a briefe to be prepared wherein I have appointed two of his Maj^{ty}s Hon^{ble} Councill to receive such Charitable donations as shall be given for y^e reliefe of y^e afores^d Refugees & to those of y^e Councill the house may joyne such of their own members as to them shall seem meet, and when I see your returne upon this his Maj^{ty}s Hon^{ble} Councill will Consider upon your bill made in behalf of y^e s^d Refugees & returne it—

And thereupon his Ex^{cy} presented them with ye Briefe w^{ch} was in y^e following words—

Virg^a fs. To all Christian people to whom these p^sents shall come I ffrancis Nicholfon Esq^r his Maj^{ty}s L^t and Govern^r Gen^{ll} of Virg^a fend greeting—

whereas severall *french* protestant refugees have lately arrived in this his Maj^{ty}s Colony & Dominion of *Virg^a* Imported hither by the bounty & pious Charity of his Most Sacred Majesty. & Concerning whom his most Sacred Majesty by his most gracious Lre to me directed bearing date at *Kenfington* the 18th day of *March* 1⁶⁹⁹/₇₀₀ hath Signified his Royall will and pleasure that all possible Encouragem^t should be given them upon their arrivall In ord^r to their Settlem^t and whereas the right Hon^{ble} y^e Lords Comiss^{rs} of trade & plantaçons by their Lre of *April* 12th 1700 have also recomend^d them to my favourable assistance Pursuant whereunto they are now seated at a place called or known by y^e name of y^e *Manikin* towne above y^e falls of *James* river by virtue of an ord^r

of

of Councill dated at *James City* y^e 8th day of *August* in y^e twelfth year of his Maj^{ty} reigne *annoq Dom 1700*. but for as much as y^e f^d refugees haveing nothing at their arrivall here wherewth to subsist they have hitherto been supported by y^e Contributaçon of sever^{ll} pious & Charitable Gent: in those parts & whereas it is manifest & apparent that unless y^e same Charitable & Christian like act be Continued for their reliefe untill such time as they may reap & receive the fruits of their own Labour by y^e next ensuing Crop they must inevitably perishe for want of food—therefore I y^e said *francis Nicholson* Esq^r by and with y^e advice & Consent of his Maj^{ty} Hon^{ble} Councill do hereby recomend y^e sad & deplorable Condiçion of y^e afore^d *french* refugees to y^e Consideraçon of all pious Charitable & well disposed persons within this his Maj^{ty} Colony & Dominion of *Virg^a* desireing that they will Express by subscribçons to this breife what benevolences or gifts they in their Charity shall think fitt to bestow either in mony Corne or any other thing for y^e support & releife of those our poor distressed Christian brethren & I do hereby Impower & Authorize y^e Hon^{ble} W^m *Byrd* Esq^r & *Benja^a Harrison* Esq^r two of his Maj^{ty} Hon^{ble} Councill of state of this his Maj^{ty} Colony & Dominion of *Virg^a* to receive & distribute amongst y^e f^d refugees such & so many benevolences & gifts as y^e respective benefactors shall be willing to bestow for y^e promoteing And forwarding of this Charitable work Given und^r my hand & Seale of the Colony at his Maj^{ty} Roy^{ll} College of W^m & *Mary* this 23^d day of *December* in y^e 12th year of his Maj^{ty} reigne *annoq^e Doñ 1700*.

A Message from y^e house of Burgeses by *Miles Cary* Gent who presents his Ex^{cy} & y^e Councill wth an ord^r of y^e house in these words—

Monday Decembr 23^d 1700

By y^e house of Burgeses—

Ord^d That a message be forthwth sent to his Ex^{cy} and y^e Councill to acquaint them the house is well satisfied from his Ex^{cy}'s informaçon of y^e present necessity of y^e *french* refugees wth out any further Enquiry that sever^{ll} of y^e members have subscribed to y^e breife what they think fitt to bestow towards their reliefe that y^e house is of opinion y^e y^e Hon^{ble} persons his Ex^{cy} has been pleased to impower to receive y^e Donations are sufficient & therefore they have aded no more & that y^e house doth hope that for y^e future benefitt of y^e f^d refugees the Councill will be pleased to assent to their byll in that behalf—

Ordered—

That y^e Comittee of Claimes do Carry y^e f^d Message.

An Engrossed byll from y^e Burgeses Entituled a bill makeing y^e *french* Refugees inhabiting at y^e *Mannikin* town & y^e parts adjacent a distinct parish by themselves, & exempting them from paym^t of publick and County Levys for Seven yeares was read y^e Second time & Comitted for amendm^{ts}

The Councill adjourn'd till three of y^e Clocke afternoone

Post Meridiem

AN Engrossed bill from y^e Burgeses Entituled a byll makeing y^e *french* refugees Inhabiting at *Manikin* town & y^e parts adjacent a distinct parish by themselves *et^a* was read & some amendm^{ts} made thereto by y^e Councill the byll wth y^e amendm^{ts} was read the third time and resolved that y^e byll with y^e amendm^{ts} do pass—

Ord^d that y^e Clerke of y^e Gener^{ll} Affembly do Carry the f^d byll with y^e amendm^{ts} to y^e house of Burgeses & acquaint them that y^e Councill have assented thereto with y^e f^d amendm^{ts} whereto their Hon^{rs} desire their Concurrence—

The Councill adjourns till tomorrow morning Eight of y^e Clock.

Tuesday

Tuesday Decemb^r 24th 1700

Present

HIS Excellency, *W^m Byrd, Edm^d Jennings, Jn^o Lightfoot, Matt: Page, Benj^a Harrison, Rob^t Carter Esq^{rs}*

A message from y^e house by *Miles Cary Gent.* that they had agreed to an Engroffed byll Entituled a byll making the *french* refugees Inhabiting at y^e *Manikin* town & y^e parts adjacent a distinct parish by themselves & Exempting them from y^e paym^t of publick & County Levy for Seven years, with the amendm^{ts} thereto proposed by y^e Councill, & had amended y^e byll accordingly.

The Book of publick Claimes sent from y^e house of Burgeffes was read over & ord^d to be laid upon y^e table—

Alfo y^e Claime due to y^e Comittee appointed to revise y^e Lawes, wherein sever^{ll} matters being omitted & sever^{ll} amendm^{ts} to be made before any further proceeding be thereupon had—

Ordered that y^e Clerke of y^e Gener^{ll} Affembly do go to the house of Burgeffes & Comand their Imediate attendance upon his Excellency in Council in y^e Gen^{ll} Court house—

The Burgeffes attending in the Gener^{ll} Court house His Excellency was pleased to Exprefs himself thus.

Gent

I thank you [See J. of H. of B., p. 235.]

A message to his Ex^{cy} from y^e whole house of Burgeffes by *W^m Leigh Gent.* & others that they were preparing an humble addrefs to his Ex^{cy} & desired to know when they might waite upon his Excellency to present y^e Same whereupon his Excellency appointed this afternoon in y^e Gen^{ll} Court house.

Post Meridiem

ACCORDING to his Excellency's appointm^t this day Mr *Speaker* & y^e house of Burgeffes waited upon his Excellency in Councill in y^e Gen^{ll} Courthouse—

And presented an humble addrefs to his Excellency w^{ch} was in y^e following words—

To his Excell^{cy} Francis Nicholson Esq^r his Maj^{ty} L^t and Govern^r Gen^{ll} of Virg^a—

The humble addrefs of y^e house of Burgeffes—

May it please yo^r Excellency.

Wee his Maj^{ty} [See J. of H. of B., pp. 233-4.]

To w^{ch} his Excellency Expresed himself to this Effect—

Gent.

I thank you for yo^r Concurrence wth me in giving all fuitable Encouragem^t to y^e *Marquess De La Muce* & y^e settlem^t of y^e *french* refugees at y^e *Manikin* towne I shall *Gent.* never endeavour to Impose anything upon you y^t may seem either burthenfome or chargable & as to y^e matter of y^e *Pirates* what you *Gent.* are pleased to attribute to my valour & Conduct I for my part shall only ascribe to y^t great God who rules and Governs all sublunary actions for I am fully perswaded y^t y^e hand of providence was very discernable in that whole action even from the very first step to y^e Last—

Gent. As to what you Say of my Expofeing my person in that action to so much danger. I must tell you, that so long as I am in this stacon I am ready to Expofe not only my small fortunes but even my life also for y^e hon^r of his most Sacred Maj^{ty} & y^e Intereft of this his Colony & Dominion & look upon it as a duty incumbent upon mee so to doe.

Gent. As to y^e matter of y^e *Rangers* you may be well assur'd that as I & his Maj^{ty} Hon^{ble} Councill shall never raife any forces but upon Emergent Occasion so shall take
all

all poffible care to difband them when once y^e profpect of y^e danger or Caufe for w^{ch} they were firft rais'd ceafeth— Laftly *Gent*—As I cannot but returne you my hearty thanks for your well wifhes in Congratulateing my recovery fo I muft needs joyne with you in rendring my humble thanks to that God who alone hath been y^e great reftorer of my health—

The Councill adjourned till *thurfday* morning ten of y^e Clock—

Thurfday Dec^{br} 26th 1700

Present

HIS Excellency. *W^m Byrd, Edm^d Jenings, Matt: Page, Ben: Harrifon, Rob^t Carter* Efqr^s

A Meffage from y^e Burgefles by Mr *Corbin* wherein is laid before his Excellency & y^e Hon^{ble} Councill that y^e fort Duties of three feveral veffells Ent^d in y^e Lower diftrict of *James* river were never paid or accounted for to y^e Auditor altho y^e Naval officer of y^e f^d diftrict had accounted for all thofe times y^e f^d veffells are reported to be Ent^d to Mr *Auditor* & propofeing to his Ex^{cy} & y^e Councill that y^e f^d Errors may be rectified thereupon

Ordered—

that a Copy of y^e f^d Meffage be delivered to L^t Coll^o *W^m Willfon* Navall officer of y^e f^d diftrict & y^t he anfwer make to y^e fame in writeing tomorrow morning—

A Meffage to y^e Councill from y^e Burgefles by Mr *Miles Cary* who prefented them with this following refolve—

thurfday Dec^r 26: 1700.

By y^e houfe of Burgefles

Resolved.

that his Maj^t be prefented [See J. of H. of B., p. 235.]

Mr *Barth: ffowler* prefented a petiçon to y^e Burgefles dated *Dec^r 24th 1700* for an allowance for his attendance y^e Laft Affembly & an ord^r of y^e houfe thereupon that h^e fhould be allowed for y^e Same two thoufand pounds of tobacco and Cask being fent to y^e Councill for their Concurrence

Resolved.

That y^e fame is affented to by y^e Counfell.

The Book of publick Claimes fent from y^e houfe of Burgefles read over & affented to wth fome additions & amendments—

Ordered—

That y^e Clerke of y^e Gener^l Affembly do carry y^e f^d book of Claimes to y^e houfe of Burgefles & acquaint them that y^e Councill have affented thereto with fome additions & amendm^ts to w^{ch} their Hon^{rs} defire y^e Concurrence of y^e houfe.

Resolved that y^e fever^l refolves of y^e houfe of Burgefles of *Dec^r 20th 1700.* fent from y^e Burgefles concerning y^e fever^l allowances to y^e Committee appointed to revife y^e Lawes be affented to wth an amendm^t

Ordered

That y^e Clerke of y^e Gener^l Affembly do Carry y^e f^d refolves to y^e houfe of Burgefles & acquaint them y^t y^e Council have affented thereto wth an addition to w^{ch} their Hon^{rs} defire the Concurrence of the houfe—

Ordered.

that y^e Clerke of y^e Gener^l Affembly do Carry to the houfe of Burgefles y^e Engroffed byll makeing y^e french refugees Inhabiting at *Manikin* towne & parts adjacent a diftinct parifh of themfelves *et^a* & acquaint them that y^e Council have affented thereto wth y^e amendm^t

By his Excellency.

Dec^r 26th 1700—

Whereas the Hon^{ble} *Edward Hill* Efqr who was appointed by a^{ct} of affembly one of y^e Committee to revife y^e Lawes is lately dead y^e Hon^{ble} *Edm^d Jenings* Efqr is appointed by his Excellency to be joyned to that Committee in his ftead.

By

By his Excell^y and y^e Hon^{ble} Council—

Whereas it is found y^e y^e Committee appointed by act to revise y^e whole body of y^e Lawes have been often obstructed therein w^{ch} is conceived to be occasioned by a sufficient number of y^e memb^{rs} of y^e Committee not meeting at y^e time appointed for y^e preventing & remedying whereof for y^e future & to advance y^e f^d worke with all diligence they not haveing any coorcive or determinative power of themselves, *It is proposd* by his Ex^{cy} & his Maj^{ty} Hon^{ble} Council to find out some expedient to act with a lesser number w^{ch} is thought may very well be done by an ordinance of Assembly.

Ordered

that y^e Clerke of y^e Gener^l Assembly do go to y^e house of Burgeses & Carry y^e above proposi^{ons} to be by them Considered.

A message from y^e house of Burgeses by M^r *Corbin* who presents an acco^t currant of M^r *Treasur^r* w^{ch} account is assented to by his Ex^{cy} & y^e Hon^{ble} Council—

Ordered

that y^e Clerke of y^e Gen^l Assembly do Carry y^e f^d acco^t to y^e house of Burgeses & acquaint them that his Excellency & y^e Council have assented thereto

A Message from y^e Burgeses by *Miles Cary* Gent who informs his Ex^{cy} & y^e Council y^t y^e house hath agreed to y^e additions & amendm^{ts} proposd by their Hon^{rs} to y^e book of publick Claimes as also to y^e amendm^t proposd by their Hon^{rs} to y^e resolves of y^e house concerning y^e Committee appointed to revise y^e Lawes to both w^{ch} his Ex^{cy} & y^e Hon^{ble} Council assent—

Ordered.

that y^e Clerke of y^e Gen^l Assembly returne y^e f^d book of publick Claimes & y^e afores^d Resolves to y^e house of Burgeses & acquaint them therewith—

The Council adjourns till five of y^e Clock in y^e afternoone—

Post Meridiem—

THE Resolve from y^e house of Burgeses that his Maj^{ty} be presented with four hund^d & twenty pounds for & towards y^e paym^t of y^e Charge accruing by y^e Pyrates *et^a* being read y^e same is assented to by the Council—

The Council being inform^d that y^e house of Burgeses are adjourn^d till tomorrow morning

Ord^d that y^e Clerke of y^e Gener^l Assembly return y^e same to y^e house of Burgeses early tomorrow morning & acquaint them that y^e Council have assented thereto—

The Council adjourns till tomorrow morn^g Eight of y^e Clock—

Friday Dec^r 27: 1700—

Present

WM BYRD, *Edm^d Jennings, Matt: Page, Ben: Harrison, Rob^t Carter Esq^{rs}*

L^t Coll^o *W^m Wilson* Navall officer of y^e Lower distri^{ct} of *James* river this day put in his answ^r in writeing to y^e report of Committee as by ord^r of yesterday and as to y^e first (*viz^t*)

The Shipp *Hopewell John Nyles* Master he faith that he never rec^d any fort duties for her because she only touch^t here, had only a permitt to unlode some small matter that she took nothing in & was Imediately bound up the Bay. Upon Consideration whereof It is y^e opinion of y^e Council that in such Case that neither Govern^{rs} fees nor fort duties ought to be paid—As to the Second (*viz^t*)

The Sloop *George Joseph forest* Master he Saith that y^e sloop was one of those who were taken by y^e Pyrates, who were taken by his Maj^{ty} Shipp y^e *Shoreham* and that what done in relation to her was by his Ex^{cy}'s directions In w^{ch} Case it is y^e opinion of y^e Council that no fort duties ought to be paid.

As

As to y^e third (*viz*^t)

The Sloop called the *Beavours* of *Pennsylvania* And^m *Lock* Master he saith y^e y^e reason of her not being accounted for was by pure mistake & inadvertency & not any designe—

Upon Considera^{ti}on of y^e whole matter It is y^e opinion of y^e Council that y^e third being Error he must account for it and make Oath that he never rec^d any fort duties for y^e first nor second

to w^{ch} he accordingly made Oath—

A Message from y^e house of Burgeesses by *W^m Leigh* Gent & others who present his Maj^{ties} Hon^{ble} Council with an address to his most Sacred Majesty and thei^rto pray their Hon^{rs} Concurrence—

Resolved

That y^e same be assented to with some additions & amendments—

Ordered

That y^e Clerke of y^e Gen^l Assembly do Carry the f^d Address to y^e house of Burgeesses & acquaint them that y^e Council have assented thereto with severall amendm^{ts} to w^{ch} their Hon^{rs} desire the Concurrence of y^e house.

the Book of Publick proportions from y^e house of Burgeesses read & assented to by the Council—

Ord^d that y^e Clerke of the Gen^l Assembly do returne y^e book of publick propor^{ti}ons to y^e house of Burgeesses & acquaint them that their Hon^{rs} have assented thereto. As also to Carry to the house the ord^r of Council to L^t Coll^o *Geo. Mason* to disband the Rangers in *Stafford* County

A Bill from y^e Burgeesses Entituled a bill for y^e more effectuell & speedy Carrying on y^e Revivall of y^e Lawes read y^e first time & ord^d a Second reading

A Bill from y^e Burgeesses Entituled a bill for raising a publick Levy read y^e first time & ordered a Second reading—

The Council adjourn'd till two of y^e Clock in y^e afternoone—

Post Meridiem—

A BILL from y^e Burgeesses Entituled a bill for y^e more effectuell and Speedy carrying on y^e reviv^l of y^e Lawes read y^e Second time & Comitted for amendments.

A Bill from y^e Burgeesses Entituled a bill for raising a publick Levy read y^e Second time & ordered a third reading.

The Councill adjourn'd till four of y^e Clock

four of y^e Clock afternoon—

A BILL from y^e Burgeesses Entituled a bill for y^e more effectuell & Speedy Carrying on y^e revivall of y^e Lawes read y^e third time with y^e amendm^{ts}

Resolved that y^e bill do pass—

A Bill from y^e Burgeesses Entituled a bill for raising a publick Levy read y^e third time & assented to without any amendment—

Ordered.

That y^e Clerke of y^e Gen^l Assembly do return y^e f^d bills to y^e house of Burgeesses & acquaint them y^t y^e Council have assented thereto—

A message from the Burgeesses by *W^m Leigh* Gent. & others who present the Councill with four Engrossed bills (*viz*^t)

An Act for continuing y^e act for prohibiting y^e Exportacon of Indian Corne—

An Act making y^e french refugees Inhabiting at y^e Manikin towne & y^e parts adjacent a distinct parish of themselves & Exempting them from y^e paym^t of publick & County Levies for Seven yeares.

An

An Act for y^e more Effectuall & speedy Carrying on y^e Revisall of y^e Lawes

An Act for Raifing a Publick Levy—

Ord^a

That y^e Clerke of the Gen^l Affembly do go to y^e houle of Burgeffes and returne y^e Engroffed bills to y^e houle—

A Message from y^e houle of Burgeffes by W^m Leigh Gent. & others who present y^e Council with an Addrefs to his most Sacred Majesty & acquaint them that y^e houle have made y^e amendm^{ts} thereto propofed by their Hon^{rs} & pray that their Hon^{rs} will please to figne it—

the Same being read with y^e amendments is Signed by the Hon^{ble} W^m Byrd Esq^r in behalf of y^e Councill & returned to the houle

they also present to y^e Hon^{ble} Council y^e ord^r of Council of this Instant directed to L^t Coll^o Geo Mafon for difbanding the Rangers in *Stafford* County & acquaint them that y^e houle is very well fatisfied therewith

An Addrefs to his most Sacred Maj^{ty} being prepared was read in y^e following words
To the Kings most Excell^t Maj^{ty}—

Most Dread Sovereigne.

We the Govern^r Council & [See J. of H. of B., p. 240.]

w^{ch} being read & approved was Signed by his Excellency & y^e Hon^{ble} Council—
Ordered

that y^e Clerke of y^e Gen^l Affembly Carry y^e faid Addrefs to y^e houle of Burgeffes and desire that y^e Same may be Signed by Every Individuall member each in his proper place according to their Counties—

His Excellency was pleased to recomend it to y^e Hon^{ble} Council for their advice whether any thing further was necessary to be done at present by y^e Gen^l Affembly or whether they should now Conclude y^e Seffion—

Whereupon the Council are of opinion y^t Confidering the Cold and winter Season of y^e year & y^e great throng that is now by reason of y^e fhipps being arrived in y^e Country that therefore it is for his Maj^{ty}s Service & y^e Intereft of this his Maj^{ty}s Colony & Dominion that y^e Gener^l Affembly be prorogued till y^e twenty fourth day of *April* next—

Ordered that y^e Clerke of y^e Gen^l Affembly do go to y^e houle of Burgeffes & Comand y^e whole houle Imediately to give their attendance upon his Excellency in Councill in y^e Gener^l Court houle and also to Comand them to bring what bills they have agreed to & pafst this Seffion to present them to his Excellency that they may receive all due approbation—

Mr *Speaker* and y^e houle of Burgeffes being Come into y^e Gen^l Court houle

Mr *Speaker* in y^e name of the whole houle Expreffed himself thus—

May it please your Excellency

We his Maj^{ty}s most Loyall and Dutifull fubjects the Burgeffes in obedience to yo^r Excellency's Comands do now attend your Ex^{cy} wth y^e fruits of our Serious Confidera^{co}ns at this Seffion Severally affented to by y^e Hon^{ble} members of his Maj^{ty}s Council for this his most ancient Colony & Dominion in ord^r to submit them & every of them to your Excellency's prudence & wifdom for approbation & for y^e powerfull ftamp yet wanting to give them due life Vigour & Authority to Effect y^e fev^l purpofes they are design'd for—

We have had many Important Confidera^{co}ns to Induce us to proceed upon nothing this Seffion but what absolute necessity required & we have great reason to render y^e higheft acknowledgm^{ts} to divine providence for fo favourable a Season even in y^e heart of a winter, remarkable for it's long continuance, And that admirable warmth yesterday wherein fome of our lateft fruite ripened & came to perfection that I hope I may without Vanity Confrue An happy Omen of y^e acceptablenefs of o^r Endeav^{rs} to his most Sacred Maj^{ty} whom God long p^rserve & to yo^r Excellency now recovered from your late Indifpofition & Sicknefs to y^e great fatisfaction and joy of us all. A favourable acceptance we are fure cannot misf of an advantageous Confequence to this Colony but will be a means
to

to continue his Maj^{ty} gracious inclinations towards us & that ardent zeale w^{ch} yo^r Ex^{cy} dayly discov^{rs} dwelling in you for y^e prosperity of every Individuall Inhabitant of this Government—

It is an Easie matter to Compile a long discourse & a true one too of yo^r Ex^{cy}'s Bounty on all occations yo^r Charity yo^r piety yo^r unwearied Endeavours for y^e advancement of Religion & Learning your undaunted resolution & Conduct for our defence & Security yo^r plainesse & Sincerity wth us & your great prudence & wisdom in y^e discharge of that high and Hon^{ble} trust his Maj^{ty} hath been pleased to Comitt to you, but those qualifications being so perspicuous in yo^r Ex^{cy}'s person no man that knows your Ex^{cy} can pretend to be ignorant, And therefore I pass to y^e repetition of y^e titles of those few acts w^{ch} I am now appointed to present to your Excellency.

And they are

1. *An Act for Continuing y^e act for prohibiting y^e Exportacon of Indian Corne—*
 2. *An Act makeing the french Refugees Inhabiting at y^e Manikin town & y^e parts adjacent a distinct parish of themselves & Exempting them from y^e paym^t of publick and County Levys for Seven yeares—*
 3. *An Act for y^e more Effectuall & Speedy Carrying on y^e revissall of y^e Lawes—*
 4. *An Act for Raiseing a Publick Levy—*
- These May it please yo^r Excellency

Are such acts as y^e Hon^{ble} Councill & y^e Burgeses now before you deem to be for the good and welfare of this his Maj^{ty}'s most ancient & great Colony and Dominion of Virg^a and such as there is present occasion for. Many other matters th^o of weight & moment that would admitt of a reference are put to a further time when it shall please your Excellency to give this or another Assembly the opportunity to Consider them and now *may it please your Excellency* we do not in the least doubt your Excellency's Condescension to Joyne with us in the passing this Roll of Bills and that your Excellency will be pleased to favour us with your assistance & Endeavours to obtaine his Maj^{ty}'s Gracious answer to our address—

AT A

GENERALL ASSEMBLY

begun at his Maj^{ties} Royall Colledge of *William* and *Mary*:
5th *Decemb^r* 1700 and thence continued by sev^{ll} Prorogacons
untill *Wednesday* y^e Sixth of *Aug^t* 1701 &c^t

At a Generall Affsembly begun at his Maj^{ties} Royall Colledge
of *William and Mary*: 5th *Decemb^r* 1700 and thence con-
tinued by sev^l Prorogacons untill *Wednesday* y^e Sixth of
Augst 1701 &c^t

[*Wednesday, August 6th, 1701.*]

Present

HIS Excellency, *W^m Byrd, Edm^d Jennings, John Lightfoott, Benj: Harrison* and
John Custis Esq^{rs}

L^t Coll *Geo. Mason* haveing first taken y^e Oaths Appointed by Act of
Parliam^t to be taken instead of y^e Oathes of Allegiance & Supremacy Subscribed
y^e Test & Affociation took y^e Oath of Burgefs of this present Gen^l Affsembly.

The Occasion of calling y^e Affsembly and w^{ht} his Ex^{cy} hath therevpon to deliver to y^e
houfe of Burgeffes for their Consideration is referred till tomorrow morning in hopes
there will be a fuller Council.

Council adjourned till to Morrow Morning Seven of y^e Clock.

Thursday Augst 7th 1701

Present

HIS Excellency, *W^m Byrd, Edm^d Jennings, John Lightfoott, Benj: Harrison* and *John*
Custis Esq^{rs}

Whereas by sev^l advices from *England* a Gen^l warr is Threatned wherein
his Maj^{tie} or moft dread Sov^r and his Kingdomes & Dominions are likely to be
deeply Engaged and y^e Gen^l Affsembly of this his Maj^{ties} Colony being now mett and
Affsembled together to Advise and Consult w^{ht} may best tend to y^e advancem^t of Religion
& Piety y^e Intrest of his moft Sacred Maj^{tie} and y^e defence Safety & Security of this his
Maj^{ties} Dominion and Subjects here Inhabitting.

Therefore Ordered y^t a Proclamacon be drawn enjoyning a day of fasting & Humilia-
con to be kept and Observed by this p^{se}nt Gen^l Affsembly y^e Inhabitance of y^e City of
Williamsburgh & parts adjacent vpon *Wednesday* y^e Thirteenth of this inf^t *Augst* and
vpon *Wednesday* y^e Twenty Seventh of this inf^t *Augst* in all & every Parish & p^{ar}shes wthin
this his Maj^{ties} Colony and Dominion to Implore y^e Blessing of Almighty God for y^e
preservacon of y^e Protestant Religion his Maj^{tie} Royall Person a prosperous success vpon
y^e Consultacon of this p^{se}nt Gen^l Affsembly and y^e Peace & Quiet of this Colony.

Ordered y^t y^e Clrk of y^e Gen^l Affsembly do go to y^e houfe of Burgeffes and Comand
their imediate attendance upon his Excellency in Council in y^e great Roome where y^e
Com^{tee} for Revifall of y^e Lawes ufually Satt.

The Burgeffes attending, his Ex^{cy} was pleased to Exprefs himfelfe thus

Hon^{ble} Gent.

His Maj^{ties} Royall Comands [See J. of H. of B., pp. 245-246.]

A Message from y^e houfe of Burgeffes by *W^m Leigh* Gent. & others who presented y^e
following resolve

Thursday Augst 7th 1701

Resolved

That y^e Houfe doth agree to y^e time appointed by his Ex^{cy} & y^e Council for laying
y^e foundacon of y^e Capitol and also to his Ex^{cy} proposition y^t a Com^{tee} of this houfe be
appointed

appointed to Joyne wth a Com^{tee} of y^e Council to Confider of meafures for y^e better doing thereof and w^{ht} foever fhall be propofed for regulateing y^e f^d building & workmen Employed in it.

W^m Randolph Clk H: Burg

And then he added

I am further Comanded to acquaint y^r Hon^{rs} that the Houfe have Appointed Six of their Memb^{rs} to attend w^{ht} Number of the Council y^r Ex^{cy} & Hon^{rs} fhall think fitt and that they are ready to waite vpon y^r Hon^{rs} when you fhall Appoint time and place.

The Hon^{ble} *W^m Byrd Efqr Jⁿ Lightfoot Efqr & John Cufstis Efqr* are apointed fortwth to Joyn in a Com^{tee} wth Six of y^e Members of y^e Houfe of Burgefles to confider of y^e Meafures to be taken for laying y^e foundaçon of the Capitoll and w^{ht}foever fhall be thought neceffary for regulateing y^e f^d building and workmen Employed in it, and y^e Com^{tee} to be held in y^e great Room where y^e Committee for revifall ufually satt.

Ordered y^t y^e Clk of y^e Gen^l Affembly do go to y^e houfe of Burgefles and acquaint y^m wth this Order.

The Council adjourned till to Morrow morning Eight Clock

Fryday 8th Augst 1701

Prefent

HIS Ex^{cy}, *W^m Byrd, Edm^d Jenings, Jⁿ Lightfoot, Benj^a Harrifon, Efqr^s*

Tho: Holt by his petiçon Setting forth y^t y^e Clks place for y^e Committee of propofitions & Grievances being vacant he is very defireous to ferve in y^e Places.

It being Confidered by his Ex^{cy} & y^e Council y^t y^e f^d *Holt* being Sheriff of y^e County of *Surry* and not knowing how long y^e Affembly may fitt it is not for his Maj^{tie} Service y^t he fhould be Abfent from his County he being the Chief Officer therein.

The Hon^{ble} *W^m Byrd Efqr Jⁿ Lightfoot Efqr and Jⁿ Cufstis Efqr* being apointed to Joyn in a Com^{tee} wth Six of y^e Memb^{rs} of y^e Houfe of Burgefles to Confid^r the meafures to be taken for laying y^e foundaçon of the Capitoll & w^{ht}foever fhall be thought neceffary for Regulateing y^e f^d building and workmen Employed in it.

Returne y^e report in thefe following words

Memorandum

Propofed

That an Ord^r of Affembly be made and published for y^e better managem^t of Workmen & Laborers y^t are and fhall be Employed about y^e building y^e Capitol prohibiting all Ordinary keepers from Entertaining any of y^m or felling y^m any drink w^{thout} leave or Lycenfe of his Ex^{cy}, the Committee for Overfeeing y^e building appointed by Law or y^e Overfeer vpon penalty of being putt down by y^e next Juftice of y^e Peace from keeping Ordinary and being alfo fined according to Law for dealeing wth other peoples Servants.

That no other Perfon w^{ht}foever entertaine Employ or deale wth any of y^e f^d workmen &c^t w^{thout} y^e like leave und^r penalty of being fined according to y^e f^d Law.

That y^e Overfeer have power to Comence fuite on thefe Occafions.

And they further reported thus

Wee find M^r *Henry Cary* to have been Employed by y^e Com^{tee} as overfeer of y^e building and workmen, and know not of a fitter perfon or better method.

And y^t foure of y^e workmen being called before us Seemed very ready & willing to go on wth diligence in y^e f^d worke.

John Cufstis Efqr added

Ordered

That y^e Clk of y^e Gen^l Affembly do carry the representaçon of y^e Com^{tee} for revifall of y^e Lawes concerning an Affiftant together wth there representaçon to y^e Hon^{ble} Gen^l Affembly, & lay y^m before y^e houfe of Burgefles to be by y^m confidered.

Ordered

That y^e Clk of y^e Gen^l Affembly do go to y^e houfe of Burg. & acq^t y^m y^t his Ex^{cy} Com^{ds} there imediate attendance vpon him in Council in y^e great roome where y^e Committee for Revifall of y^e Laws ufually Satt.

The

The Burgeffes Attending, his Ex^{cy} was pleafed to Exprefs himfelfe thus
Hon^{ble} Gent.

I have fent [See J. of H. of B., p. 248.]

Councill adjourned till to Morrow morning Nine of y^e Clock.

Saturday 9th Augst 1701

Pr^t

HIS Ex^{cy}, W^m Byrd, Edm^d Jennings, Jn^o Lightfoot, Benj: Harrifon and Jn^o Cuf^{tis} Esq^{rs}

The Clk of y^e Gen^l Affembly informeing his Ex^{cy} y^t y^e Houfe of Burgeffes
 had adjourned y^mfelves till *Munday* morning Nine of y^e Clock.

Ord^d That y^e Council adjourne till *Munday* morning Nine of y^e Clock.

Munday 11th Augst 1701

Pr^t

HIS Excellency, W^m Byrd, Jn^o Lightfoott, Benj: Harrifon, Jn^o Cuf^{tis}—Esq^{rs}

Mr W^m Jones ꝑ Petiçon fetting forth y^t he is by y^e Worſhipfull houfe of
 Burgeffes appointed Clk of y^e Com^{tee} of propoſiçons & grievances & praying
 y^t he may be fworn & admitted thereunto

Ord^d

That a Comiçon be prepared empowering W^m Byrd Esq^r Benj: Harrifon Esq^r &
 Jn^o Cuf^{tis} Esq^r or any Two of y^m to adminiſtr y^e Oaths Appointed by a^{ct} of Parliam^t
 to be taken inſtead of y^e Oaths of Allegiance & Supremacy y^e Teſt & the Affociaçion
 together wth y^e Oathe of a Com^{tee} Clk unto y^e aforeſ^d W^m Jones Gent. Clk of y^e Com^{tee}
 of propoſiçons and grievances

W^m Byrd Esq^r Benj: Harrifon & John Cuf^{tis} Esq^r purſuant to y^e aforeſ^d Comiçon
 adminiſtred y^e aboves^d Oaths unto y^e aforeſ^d W^m Jones Gent. who haveing taken y^e
 fame & Subſcribed y^e Affociaçon & Teſt is admitted Clk of y^e aforeſ^d Committee.

Ordered.

That y^e Councill be adjourned till tomorrow Morning Nine of the Clock

Tuesday 12th Augst 1701

Pr^t

HIS Ex^{cy}, W^m Byrd, Jn^o Lyghtfoot, Benj: Harrifon, Rob^t Carter and Jn^o Cuf^{tis} Esq^{rs}

Ordered y^t y^e Clk of y^e Gen^l Affembly do carry his Maj^{ties} Royall Lett^r
 of 9th of May 1701 recomending div^{rs} french Proteſtants now lately arrived
 to y^e fav^r & protecçons of his Ex^{cy} & ſev^l other Lett^{rs} & pap^{rs} Relateing to y^t
 Affaire unto y^e Houfe of Burgeffes for their Confideraçon therevpon and deſireing their
 Speedy advice w^{ht} is beſt to be done & how theſe french Proteſtants ſhall be
 diſpoſed off.

Ordered

That y^e Clk of y^e Gen^l Affembly do carry & lay before y^e Houfe of Burgeffes Dan^l
 Cox Esq^r his Lett^r to his Ex^{cy} dated y^e 8th April 1701 and y^e grant for certaine Lands
 therein mençoned together wth Mr Micaja Perrys Lett^r vpon y^e Same Subject y^t they
 take y^e fame into their Confideraçon.

A Message from y^e House of Burgeffes by Coll *Miles Cary* and others who pst y^e following Ord^r

Tuesday Aug^t 12th 1701

By y^e House of Burgeffes

May it please Y^r Ex^{cy} and Hon^{rs}

Y^r message of this day [See J. of H. of B., p. 251.]

His Ex^{cy} & y^e Hon^{ble} Council concurr wth y^e Opinion of y^e house of Burgeffes as concerning y^e *ffrench* Protestants lately Arrived.

Ordered

That M^r *Jamart* y^e *ffrench* Gent. be sent for and acquainted wth y^e same.

Councill adjourned till *Thurfday* Morning Nine a Clock

Thursday 14th Aug^t 1701

P^{rt}

HIS Excellency, W^m Byrd, Edm^d Jenings, John Lightfoot, Benj^a Harrison, Rob^t Carter, John Custis Esq^{rs}

Sev^l Proposiçons of y^e Inhabitants of *Charles City* County on y^e North Side *James Riv^r* being read.

Ordered The same be referred to y^e Consideraçon of the house of Burgeffes.

The Petiçon of y^e Inhabitants of *Bristoll* P^{sh} in *Charles City* County Read and

Ordered The Same be referred to y^e house of Burgeffes

Tho: Blunt Int^rpret^r to y^e *Nottoway & Nanfemond* Indians his Peticon for his Sallary Read and

Ordered To be Referred to y^e House of Burgeffes.

The Inhabitants of y^e vpp^r P^{sh} of *Isle of Wight* County petiçoning y^t some of y^e Inhabitants of y^e Lower P^{shs} of y^e afore^d County may be added to y^m

Ordered The Same be referred to y^e Consideraçon of y^e house of Burg^s Sev^l Aggrievances of y^e Inhabitants of *Northampton* County Read & Referred to y^e Consideraçon of y^e house of Burgeffes.

Ordered

That y^e Clk of y^e Gen^l Affsembly doe carry y^e above mençoned pap^{rs} & Lay y^m before y^e house of Burgeffes for their Consideraçon therevpon to be had.

Councill adjourned till to Morrow Morning Nine of y^e Clock.

Fryday 15th Aug^t 1701

P^{rt}

HIS Ex^{cy}, W^m Byrd, Edm^d Jenings, John Lightfoot, Benj^a Harrison, Rob^t Carter, Jn^o Custis Esq^{rs}

Resolved

That y^e P^{ceedings} of his Ex^{cy} & y^e Council heretofore had concerning fortificaçons & y^e Securety & Defence of this his Maj^{tie} Colony be laid before y^e House of Burgeffes.

And y^t they consider y^e Buyness of y^e Rang^{rs} vpon y^e Frontiers at y^e heads of y^e Riv^{rs} & whether it may not be prop^r (vpon any Emerg^t Occasion) y^e same [be] Vested in his Ex^{cy} & y^e Council now in y^e time of Imⁱⁿt danger.

Three Petiçons from M^r *Chicheley Corbin Thacker* One for Publick Svices another for removeing y^e Records & y^e Third for One hundred & fourty pounds of Tobacco read and referred to y^e Consideraçon of y^e house of Burgeffes

Councill adjourned till tomorrow morning Nine of y^e Clock.

Saturday

Saturday y^e 16th Aug^t 1701

Pr^t

HIS Ex^{cy}, W^m Byrd, Edm^d Jenings, Rob^t Cartar, John Custis Esq^{rs}
His Ex^{cy} laid before y^e Council a Message sent to his Ex^{cy} from y^e house of
Burgeffes in these following words

ffryday 15th Aug^t 1701

By y^e House of Burgeffes

Ordered.

That a Message be sent to his Ex^{cy} y^t he will please to Cause y^e Acc^{ts} of y^e Publick
revenue be laid before this house. Mr Corbin, Mr Walters, Mr ffitzhugh, Mr Thacker,
Mr Butt, and Mr Armesstead are desired forthwth to cary the s^d message.

W^m Randolph Clk H Burg—

Ordered

That y^e Hon^{ble} Mr Audit^r Byrd prepare y^e same wth all Expediçon y^t it may be laid
before y^e House.

Council adjourned till *Tuesday* morning Nine of y^e Clock.

Tuesday. 19th Aug^t 1701

Pr^t

HIS Excellency, W^m Byrd, Edm^d Jenings, Char: Scarburgh, John Lyghtfoot, Benj^a
Harrison, John Custis and James Blair Esq^{rs}

Whereas it is thought very convenient in this time of dang^r y^t some cer-
taine method should be taken for the better strengthening of o^r ffrontiers
both by Sea & Land and discovering y^e approaches of an Enemy.

Ordered

That y^e Hon^{ble} W^m Byrd Esq^r Benj^a Harrison Esq^r and John Custis Esq^r be appointed
as a Comittee to Confid^r how y^e same shall be Effected and y^t his Ex^{cy} and y^e Council do
recomend it to y^e house of Burgeffes to appoint a Convenient Numb^r of their house to
joyne wth y^e s^d Com^{tee} of y^e Council to Consider of y^e prop^r wayes & meanes to do y^e
same with all Expedition—

Ordered

That y^e Hon^{ble} Charles Scarburgh Esq^r Rob^t Carter Esq^r and James Blaire Esq^r three
of y^e members of his Maj^{ties} Hon^{ble} Councill be appointed as a Com^{tee} and his Ex^{cy} and
y^e Council do recomend it to y^e Burgeffes to appoint a Convenient Numb^r of their
house to Joyne wth y^e s^d Com^{tee} of y^e Council to Confid^r and inspect y^e whole proceedings
of y^e Com^{rs} appointed to Examine y^e Claimes and Tytles to Land in Pamonkey Neck
and on y^e South-Side of Blackwat^r swamp in their Sev^l Courts, y^t y^e same may be now
wth all expedition Compleated Perfected and Ended.

Ordered

That y^e Clk of y^e Gen^l Affembly do carry y^e above^d Order to y^e House of Burgeffes.

The Hon^{ble} Mr Auditor Byrd pursuant to y^e Ord^r of 16th Inf^t laid before his Ex^{cy} &
y^e Council y^e State of his Maj^{ties} Revenue vpon y^e Quitt rents Anno 1700 And also a
State of his Maj^{ties} Revenue vpon y^e Two shillings ³/₄ hh^d & c^t from 25th Octob^r 1700 to y^e
10th June 1701 w^{ch} he had prepared.

Pursuant to a Message from y^e House of Burgeffes to his Ex^{cy} of y^e 15th Inf^t

Ordered

That y^e Clk of y^e Gen^l Affembly do carry y^e same and lay it before y^e House of
Burgeffes.

Mr Chicheley Corbin Thacker Clk of y^e Secretaryes Office Representing to this house
that there are Two Bookes of Patents So very old and decayed y^t unles they be Speedly
Renewed by Transcribing they will be utterly useles and praying direcçons therein
may be given

The same is referred to y^e House of Burgeffes.

Charles

Charles Scarburgh John Custis James Blaire Esq^{rs} absent.

A message from the House by Mr *Rich^d Bland* and Others.

May it Please y^r Ex^{cy}

Wee are Comanded by y^e House of Burgeffes to Acquaint y^r Ex^{cy} and Hon^{rs} that the House have appointed Two Sev^{ll} Com^{tees} according to y^r Ex^{cy} and Hon^{rs} proposall one to Confid^r of y^e moft proper way and meanes to Strengthen o^r frontiers by Sea and Land the other to Examine y^e Claimes and Tytle to Land in *Pomonkey Neck* and on y^e South-side of *Black-wat^r Swamp* in their sev^{ll} Courts when and where y^r Hon^{rs} shall appoint.

Ordered

That y^e Clk of y^e Gen^{ll} Affembly do acquaint the House of Burgeffes that y^e Hon^{ble} Memb^{rs} of his Maj^{ties} Council appointed to Joyne wth a Committee of y^e house are ready now to fitt in y^e Council Chamber, or at any other time when y^e house shall think fitt to Confid^r of y^e moft proper way and meanes to Strengthen the frontiers both by Sea and Land.

And y^e other Com^{tee} appointed to Confid^r and inspect y^e whole proceedings of y^e Com^{rs} appointed. to Examine y^e Claimes & Tytles to Land in *Pomonkey Neck* and on y^e South side of *Black water Swamp* in their sev^{ll} Courts will be ready to fitt to Morrow morning Tenn of y^e Clock in y^e Councill Office.

The Council adjourned till to Morrow Morning Nine a Clock.

Wednesday 20th Aug^t 1701

Pr^t

HIS Ex^{cy}, W^m Byrd, Edm^d Jenings, Char. Scarburgh, John Lightfoot, Matthew Page, Benj^a Harrison, Rob^t Carter, John Custis and James Blair Esq^{rs}
Ordered

That y^e Clk of y^e Gen^{ll} Affembly acquaint y^e house of Burgeffes y^t y^e Hon^{ble} Edm^d Jenings Esq^r John Lightfoot Esq^r and Matt Page Esq^r are appointed as a Com^{tee} to Consider of sev^{ll} Propositions laid down for and concerning the Building the Capitoll

And y^t his Ex^{cy} & y^e Council do recomend it to the Burgeffes to appoint a Convenient Number of their House to Joyne wth y^e f^d Committee of y^e Council to Confid^r y^e Same and that the f^d Committee forthwith Sitt in the Secretaries Office.

Councill adjourned till to Morrow Morning Nine a Clock.

Thursday 21st Aug^t 1701

Pr^t

HIS Excellency, W^m Byrd, Edm^d Jenings, Ch Scarburgh, John Lightfoot, Matt: Page, Rob^t Carter Esq^{rs}

The Com^{tee} appointed to Confid^r of sev^{ll} Propositions laid down concerning y^e building y^e Capitall this day returned their report.

Council adjourned till to Morrow morning Nine Clock.

Fryday 22^d Aug^t 1701

Pr^t

HIS Ex^{cy}, W^m Byrd, Edm^d Jenings, Char. Scarburgh, John Lighfoot, Benj^a Harrison, Matt Page and John Custis Esq^{rs}

The report of y^e Com^{tee} appointed to Confid^r of the way and meanes to Strengthen y^e frontiers by Sea and Land Read and Ordered to lye vpon y^e Table

The Report of y^e Com^{tee} appointed to Confid^r & inspect y^e whole proceedings of y^e Com^{rs} appointed to Examine y^e Claimes & Tytles to Land in *Pomonkey Neck* and on y^e Southside of *Black-wat^r Swamp* in their sev^{ll} Courts. Read y^e frst time & Ordered a Second reading—

A Message from y^e house by Mr *Waters* & others about an Ordinance of Affembly prohibiting the Ordinary Keep^r to Entertaine y^e workmen employed for Building y^e Capitoll and praying their Hon^{rs} concurrence thereto was read y^e first time and Ordered a Second reading—

Council adjourned till to Morrow Morning Nine Clock

Saturday 23^d Aug^t 1701

P^rt

HIS Ex^{cy}, W^m Byrd, Edm^d Jennings, Char: Scarburgh, John Lightfoott, Matt: Page, Benj^a Harrison and John Custis Esq^{rs}

The report of y^e Com^{tees} appointed to Confider & Inspect the whole proceedings of y^e Com^{rs} appointed to Examine the Claimes and Tyttles to Land in *Pomonkey* Neck and on y^e Southside of *Blackwat^r* Swamp read y^e Second time And vpon y^e 1^d report Concerning some Surveys returned for Pattents to Issue.

The Hon^{ble} Edm^d Jennings Esq^r entred a Caveat & prayed no Patent might Issue to Benj^a Arnold for Two Thousand one hundred Acres of Land Reported by y^e Com^{tees} untill he was fully heard in y^e matt^r he Suggesting y^t some of y^e same was wthin his Grant.

He also prayed y^t no Pattent might Issue to *John Hunt* for five hundred forty Six acres of Land Reported by y^e Committee untill he was heard in y^e premisses

Upon proceeding forward in reading y^e afore^d Report concerning sevⁿ Claimes to Land in *Pomonkey* Neck Returned to be wthin y^e bounds of y^e Land assigned to y^e *Pomonkey* Indians, It is y^e Opinion of his Ex^{cy} & y^e Council y^t for advancem^t of his Maj^{ties} Intrest & maintaining Peace & Quiet a Conferance be held wth y^e house of Burgeses for settling all Indian Matters

Ordered

That y^e Clk of y^e Gen^l Affembly do carry to y^e house of Burgeses this following writing

Saturday 23^d Aug^t 1701

By y^e Hon^{ble} Council

Upon reading y^e Report of y^e Com^{tees} appointed to confid^r and Inspect y^e whole proceedings of y^e Com^{rs} appointed to examine y^e Claimes and Tyttles to Land in *Pomonkey* Neck and on y^e South-side of *Blackwater* Swamp in their sevⁿ Courts y^t y^e same be now wth all expedition Compleated perfected & Ended and a Peticon from Some of y^e *Pomonkey* Indians praying for a Patent to be to y^m granted y^e Council finding sevⁿ Difficulties in Settling y^e Indian Affaires desire a free Conference to be held on *Wednesday* next in y^e Council Chamb^r by five of their Memb^{rs} wth such a Convenient Number of Burgeses as y^e House shall think fitt to Confid^r y^e best & properest methods to Settle all matt^{rs} relateing to Indian affaires, and Concludeing all Buyness relateing to *Pomonkey* Neck & *Blackwat^r* Lands.

The Ordinance of Affembly prohibiting Ordinary keepers to Entertaine y^e Workmen Employed for Building y^e Capitoll was read y^e second time to w^{ch} y^e Council Consents wth some amendm^{ts}

Ordered

That y^e Clk of y^e Gen^l Affembly do carry y^e afore^d Ordinance of Affembly wth y^e Amendm^{ts} to y^e house of Burgeses & acq^t y^m y^t y^e Council have consented thereto wth these Amendm^{ts}

A Message from y^e House by Coll *Cary* and others.

May it Please y^r Hon^{rs}

Wee are Comanded by y^e house of Burgeses to Acq^t y^r hon^{rs} y^t in Anfw^r to y^r Hon^{rs} message to y^e house concerning a free Conference they have Appointed Tenn of their Memb^{rs} to Attend on *Wednesday* next at y^e Place Appointed.

The Hon^{ble} W^m Byrd Esq^r, Ch: Scarburgh Esq^r, Matt Page Esq^r, Benj^a Harrison Esq^r, & Rob^t Carter Esq^r, are appointed on y^e Council p^t to Manage y^t conference

Council adjourned till *Munday* morning Nine Clock

Munday

Munday 25th Aug^t 1701

P^rf^t

HIS Ex^{cy}, W^m Byrd, Edm^d Jenings, Char: Scarburgh, John Lightfoot, Matt: Page, Benj^a Harrifon and John Custis Esq^{rs}

The Report of y^e Com^{tees} for Strengthening y^e ffrontiers by Sea & Land
read y^e fecond time & fev^{ll} Amendm^{ts}

Ordered

That y^e Amendm^{ts} be fairly drawn ag^t tomorrow morning.

Council adjourned till to Morrow Morning Nine of y^e Clock.

Tuesday 26th Aug^t 1701

P^resent

WM BYRD, Edm^d Jenings, Char: Scarburgh, John Lightfoot, Matthew Page, Benj^a Harrifon, John Custis Esq^{rs}

A Message from y^e Houfe by M^r Milner & others y^t y^e houfe had agreed
to y^e Amendm^{ts} propofed to be made to y^e Ordinance of Affembly prohibiting
y^e Ordinary Keepers to Entertaine &c^t y^e workmen Employed for Building y^e Capitol
w^{ch} being read

Ordered

That y^e Clk of y^e Gen^{ll} Affembly do return y^e Ordinance of Affembly prohibiting
y^e Ordinary keepers [to] Entertaine &c^t y^e workmen Employed to build y^e Capitol and
acq^t y^e Houfe of Burgefles y^t y^e Council have Confented thereunto as it is amended.

Ordered

That y^e Clk of y^e Gen^{ll} Affembly do carry to y^e houfe of Burgefles The following
Message in writeing.

By y^e Council

M^r Speaker

His Ex^{cy} intended to have Spoke to you himfelve but being indisposd at P^rf^t hath
defired us to Com^{unicate} to you the fev^{ll} Propofitions now sent for y^r Confidera^{cion}
which are as followeth.

Hon^{ble} Gentlemen

According to my Promife [See J. of H. of B., pp. 268-270.]

Councill Adjourn'd till to Morrow Morning Nine of the Clock.

Wednesday 27th Aug^t 1701.

P^ref^t

WM BYRD, Edm^d Jenings, Cha: Scarburgh, Jn^o Lightfoot, Matt Page, Benj:
Harrifon and Jn^o Custis Esq^{rs}

The Conferance Appointed to be held this day by ffive Members of y^e
Council wth a certaine Number of y^e houfe Burgefles to confider the beft and
Propereft Methods to Settle all Matters relateing to y^e Indian Affaires, and concludeing
all bufinefs Relateing to *Pomonky Neck* and *Black Water Land* & their Courts Comeing
now under Confideration y^e Hon^{ble} Rob^t Carter Esq^r being one of y^e Members of Council
Appoynted to Manage that conferance, He being now Absent, y^e Hon^{ble} John Custis
Esq^r is by y^e Hon^{ble} Council Appoynted in his Stead.

Dionifus Wright is Appoynted to Affist as Clerk at y^e Conferance.

Council Adjourn'd till *Tuesday* next Nine of y^e Clock

Tuesday

Tuesday 2^d 7^{ber} 1701.

Pref^t

W^M BYRD, Edm^d Jenings, Cha: Scarburgh, Rob^t Carter Esq^{rs}

A Message from y^e Burgeffes by M^r Macon and Others, whoe brought to y^e Councill for their Hon^{rs} Concurrence

An Ordinance of Affembly for Settling y^e Bounds of *Isle of Wight, Surry and Charles City Counties*—

Ordered

That it ly upon y^e Table to be Read in a fuller Council

A Bill from y^e Burgeffes entituled *an Act concerning y^e Militia.*

Ordered

That it lie upon y^e Table to be Read in a fuller Council

John Lightfoot Esq^r Added

Council Adjournes till to Morrow Morning Nine of the Clock

Wednesday 3^d Sep^r: 1701.

Pref^t

H^{IS} Exc^{vy}, W^m Byrd, Edm^d Jenings, Cha: Scarburgh, John Lightfoot Esq^{rs}

Ordered

That the Clerke of y^e Gen^l Affembly do Carry to y^e House of Burgeffes this following Message in writeing.

M^r Speaker

Whereas his Exc^{vy} [See J. of H. of B., p. 278.]

The Petiçon of *Thomas Parker* and *Thomas Mackyehey* for Lands Leased by the *Pomonky* Indians.

Ordered

To be refferd to y^e Consideratⁿ of y^e house of Burgeffes

John Tullitts Petiçon for Apprehending an Out Lying Negroe Called *Billy*,

Ordered

To be reffered to y^e Confideraçon of y^e House of Burgeffes

A Message from y^e Burge^s by M^r Foster & Others.

May it please yo^r Excell^{cy} & Hon^{rs}

I am Comanded by y^e House to deliver this Message to your Exc^{vy} and Hon^{rs}

Wednesday Sep^r 3^d 1701.

By y^e House of Burgeffes

May it Please yo^r Ex^{cy} and Hon^{rs}

In Anſwer to yo^r Message [See J. of H. of B., p. 278.]

Council Adjourn'd till to Morrow Morning Nine of y^e Clock.

Thurfday 4th 7^{ber} 1701

Present

W^M BYRD, Edm^d Jenings, Cha: Scarburgh, John Lightfoot and Benj^e Harrison Esq^{rs}

The Petiçon of *Edw^d Bell*, *Edw^d Huckstep*, *Philip Williams*, *Thomas Mackgehay*, *George Shillin* and *James Johnson* for Land wthin y^e Bounds of y^e Land Laid out for y^e *Pomonkie* Indians, and leased to them by the Aforef^d Indians.

Ordered to be reffer'd to the Confideracon of y^e house of Burgeffes how (the Indians haveing a Pattent for the Whole) theſe Mens petiçons can be Anſwered.

Jn^o Rem Petiçon for allowance as door keeper to his Ex^{cy} & the Council this Seſſion of Affembly

That

That y^e Same be recommended to y^e Considera^on of the house of Burgeffes.

A Bill from y^e Burg Entituled *an Act concerning the Militia*, Read the first time, and Ordered a Second Reading

An Ordinance of Affembly for Settling y^e Bounds of *Ist-Wight, Surry and Charles City Counties*, Read the first time and Ordered a Second Reading.

Council Adjourn'd till to Morrow Morning Nine of y^e Clock.

Fryday 5th Sep^r 1701

Present

HIS Ex^{cy}, W^m Byrd, Cha: Scarburgh, John Lightfoot, Benj^a Harrison and Rob^t Carter Esq^{rs}

His Ex^{cy} Laying before the Cbuncill a Letter from Maj^r Peter Feild, dated y^e 3^d Sep^r Instant Concerning two Strange Indians, taken upon *Swift Creek* and brought heither Prisoners.

Ordered That y^e Clerk of y^e Gen^l Affembly carry y^e Aforef^d Letter & Lay it before the House of Burg And desire them to send some of their Member forthwith to hear y^e S^d Indians Examined before his Ex^{cy} and the Council

James Blair Comiff^r Added

The House Appointed Eight of their Members (*Viz^t*) *Miles Cary, W^m Tayloe, Rich^d Bland, Rob^t Beverly, W^m Gough, Tully Robinson, Thomas Edmondson and Joshua Wynn* Burg: to Attend at y^e Examina^on.

The Aforef^d Indians being fully Examined & heard were for y^e p^{re}s^{en}t sent back Under a keeper.

Edmund Jenings Esq^r Added

Upon due & Serious considera^on had of w^h shall be done with the two Indians.

Ordered

That the Clerk of y^e Gen^l Affembly Acquaint the House of Burg: that y^e two Strange Indians Sent heither Prisoners by Maj^r Peter ffeid[feild] haveing been Examin'd before his Ex^{cy} & Council in the prefence of Eight of y^e Members of y^e house of Burgeffes.

His Ex^{cy} & y^e Hon^{ble} Council conceiving the whole Country to be therein concern'd Desire y^e Advice of y^e house, what is best to be done wth y^e Aforef^d Indians.

Council Adjourn'd till to Morrow Morning Nine of the Clock.

Saturday 6th Sep^r 1701

Present

WM BYRD, Edm^d Jenings, Cha Scarburgh, John Lightfoot, Benj^a Harrison, Rob^t Carter and James Blair Esq^{rs}

A Message from y^e Burgeffes by Coll: *Miles Cary* and Others.

By the House of Burg:

Sep^r 6th 1701

Resolved

That a Conferance be desired wth the Council, the better to enable this house to give a Suteable Answear to y^e Message of his Ex^{cy} & y^e Council Yesterday Concerning the Two Strange Indians

W^m Randolph Cl H Burg

The Hon^{ble} W^m Byrd Esq^r Benj^a Harrison Esq^r and John Lightfoot Esq^r Appointed to Manage y^e Conferance.

Ordered

That y^e Clerk of y^e Gen^l Affembly Acquaint y^e House of Burg: that y^e Council have Appoynt'd three of their Members, to confer wth a Convenient Number of y^e house of Burg: to consult a Suteable Answer to y^e Message Concerning two Strange Indians.

The

The Hon^{ble} W^m Byrd Esq^r Edm^d Jenings Esq^r Charles Scarburgh Esq^r Benj^a Harrifon & Rob^t Carter Esq^{rs} Appointed to Manage a Conference wth the Burg: about the bill Intituled *an Act Concerning the Militia*

Ordered

That a free Conference be desired to be held on *Monday* Next in y^e Council Chambers About one of the Clock Afternoon by five Members of y^e Council wth a Convenient Number of y^e Burg: as the House shall think fitt to confider upon y^e Subject Matter of the bill Intituled *an Act concerning the Militia*.

An Ordinance of Affembly for Settling y^e bounds of *Ifle-Wight, Surry & Charles Citty* Counties, Read the Second time, & Ordered a Third Reading.

An Ordinance of the Affembly for Settling y^e Bounds of *Ifle-Wight, Surry & Charles Citty* Counties read the Third time and Agreed to by y^e Council.

Resolved

That it pafs

Ordered

That y^e Clerke of y^e Gen^l Affembly doe carry y^e S^d Ordinance to y^e House of Burg: and Acq^t them that y^e Council have Agreed thereto.

A Message from y^e Burg by Mr *Beveley* and Others, who present y^e House wth y^e following Refolve.

By y^e House of Burgeffes

Sep^r 6th 1701.

Resolved

That this House will not Agree to a Conference wth the Council upon y^e Subject Matter of the bill Entituled *An Act concerning the Militia*, untill y^e S^d bill be Return'd to the House.

Present His Ex^{ty}

A Message from y^e Burg: to his Excellency and the Council by Coll: *Miles Cary* and Others, Who present the following Refolve.

By y^e House of Burg

Sep^r 6th 1701.

Resolved

That it is y^e Opinion of this House that y^e Two Strange Indians Sent heither by Maj^r *Peter Feild* are Enimies to y^e Governm^t & that they be therefore transported to *Barbados*,

Resolved

That his Ex^{ty} & y^e Council concurr wth y^e Opinion and resolve of y^e House, concerning y^e two Strange Indians And Accordingly

Ordered

That y^e Hon^{ble} W^m Byrd Esq^r take Care for Transportation, and that an Instrument be drawne for that purpose, and that y^e Sheriff of *James City* County in mean time, keep & Secure them Under a Strong Guard, Untill they shall be delivered to y^e Master of y^e Sloop *Westover*, In Order to their Transportation.

His Ex^{ty} Absent

A Bill from y^e Burgeffes, Entituled *an Act Concerning the Militia* Ordered to be Comitted for Amendments *Scarburgh, Harrifson, Carter*, to Confider Upon y^e paticular heads of Amendments

Council Adjourn'd till *Monday* Morning Nine of the Clock.

Monday Sep^r 8th 1701

Present

W^M BYRD, Edm^d Jenings, Benj^a Harrifon, Rob^t Carter and James Blair Esq^{rs}
A Message from y^e Burg: by Mr *Beverley* and Others, Whoe p^rsent y^e following bills, & pray their Hon^{rs} Concurrence.

A Bill Entituled *An Act for divideing King & Queen County* read y^e 1st time and Ordered a 2^d Reading.

A Bill Entituled *an Act giveing power to y^e Sherriff Attending y^e Gen^l Courts to Summon Jurors & Evidences w^{thin} y^e City of Williamsburgh* Read the first time and Ordered a Second Reading

Council Adjourn'd till to Morrow Morning Nine of y^e Clock.

Tuesday

Tuesday 9th Sep^r 1701.

Present

WM BYRD, Edm^d Jenings, Charles Scarburgh, Matt Page, Benj^s Harrifson, Robert Carter, James Blair Esq^{rs}
Charles Scarburgh Esq^r from y^e Committee to confider Upon y^e Amendments to y^e Bill, Entituled *an Act Concerning y^e Militia*, Reports that they have resolved Upon Sev^l Amendm^{ts} and Ordered to ly Upon the Table

John Lightfoot Esq^r Added

A Message from y^e Burg: by M^r Macon and Others, Whoe present to y^e Councill y^e following bills and Pray their Hon^{rs} Concurrence,

A Bill Entuled *and Act for better Strengthening the frontiers and discovering y^e Approaches of an Enimie*.

A bill Entituled *an Act for y^e More Effectually Apprehending an Out Lying Negroe, whoe hath comitted divers Robberies and Offences*.

A bill for Quieting y^e possesⁿ of Sev^l persons Seated Within y^e bounds of y^e Land laid out for y^e Pomonky Indians.

Ordered That y^e S^d bills be read the first time to Morrow Morning.

Council Adjourned till to Morrow Morning Nine of y^e Clock

Wednesday 10th Sep^r 1701.

Present

HIS Ex^{cy}, W^m Byrd, Cha: Scarburgh, John Lightfoot, Matt Page, Benj^s Harrifson, Rob^t Carter and James Blair Esq^{rs}

Ordered

That y^e Clerke of y^e Gen^l Affembly doe Carry y^e proceedings had Ag^t y^e Two Strange Indians Prifoners and all papers and Charges thereunto relating to the Houfe of Burg: for their Confederat: thereupon & how the Charge shall be paid.

His Ex^{cy} Absent

A Bill Entituled *an Act for divideing King & Queen County* Read the Second time and Committed to Edm^d Jenings Esq^r for Amendments.

A bill Entitued *An Act Giveing Power to y^e Sheriff for Attending y^e Gen^l Courts to Summons Jurors and Evidences w^{thin} the City of Williamfburgh*, read y^e Second time and Comitted for Amendm^{ts} to Benj^s Harrifson Esq^r

A Bill Entituled *an Act for y^e better Strengthening the frontiers & discovering the Approaches of an Enemy*. Read y^e first time, and Order'd a Second Reading—

A Bill, Entuled *an Act for the More Effectual Apprehending an Outlying Negroe, w^{ch} hath comitted divers Robberies and Offences*, Read the first time and Ordered a Second Reading

A Bill Entituled *an Act for Quieting the Possesⁿ of Sev^l persons Seated w^{thin} y^e bounds of y^e Land, Laid out for y^e Pomononkey Indians* Read y^e first time and Ordered a Second Reading.

Edm^d Jenings Esq^r Added.

A Message from y^e Burg by Coll: Miles Cary and Others

That they had brought to the Council the Report of the Comittee for Publick Claimes, and Prayed their Hon^{rs} Concurrence.

Alfoe Resolved [Resolves] of the Houfe Concerning Allowances to the Revifal, And prayed their Hon^{rs} Concurrence.

Ordered That y^e Clerk of y^e Gen^l Affembly returne to y^e Houfe of Burg: the Bill Entituled *an Act concerning the Militia* and Acquaint y^e Houfe that y^e Council have Made Sev^l Amendm^{ts} thereto and Agree to the Bill wth thefe Amendm^{ts} and desire y^e Concurrence of the Houfe.

Council Adjourned till to Morrow Morning Nine of the Clock

Thursday

Thursday 11th Sep^r 1701.

Present

W^M BYRD, Edm^d Jenings, Cha: Scarburgh, John Lightfoot, Matt: Page, Benj^a Harrifon, James Blair Esq^{rs}

A Message from y^e Burg: to the Council by M^r Thomas Barber and Others,
May it Please Your Hon^{rs}

I am directed by the House of Burgeffes, to p^rsent to your Hon^{rs} y^e Resolves of y^e House Concerning *Pomonky Neck and Black Water Land* and pray yo^r Hon^{rs} Concurrence.

Ordered

That it Ly Upon the Table.

Present His Ex^{cy}

Whereas Sev^{ll} disputes have heretofore And Daily do Arise, what Shall be Accounted a Charge to be laid upon and paid by y^e Publick, and what is to be paid Exp^ressly out of and by his Maj^{ties} Revenue, for preven^{con} whereof for y^e future

Ordered—

That it be p^roposed to, & laid before the House of Burg: that a Law be Made to dist^ringuish what Shall be Accounted a Countrey Charge, and what Shall be paid Out of y^e Kings Revenue,

His Ex^{cy} Absent

A Bill Entituled *an Act for divideing King & Queen County* Read the third time wth the Amendm^{ts}

Resolved

That y^e bill wth y^e Amendm^{ts} pass.

Ordered

That the Clerk of y^e Gen^{ll} Assembly returne the Said bill to y^e House of Burg: and Acq^t them that y^e Council Agree thereto wth y^e Amendm^{ts} and desire the Concurrence of the House.

A Bill entituled *An Act giveing power for attending y^e Gen^{ll} Court to Sum[m]on Jurors and Evidences w^{thin} y^e City of W^mburgh* read y^e 3^d time wth y^e amendm^{ts}

Resolved. That y^e Bill wth y^e amendm^{ts} do pass

Ordered That y^e Clk of y^e Gen^{ll} Assembly return y^e 1^d Bill to y^e House of Burg. & acq^t y^m y^t y^e Council agree thereto with y^e amendm^{ts} and desire y^e Concurrence of y^e House

Robert Carter Esq^r Added

A Bill Entituled *an Act, for y^e better Strengthening the ffronters, & Discovering the Approaches of an Enemie* Read y^e Second time and Comitted for Amendm^{ts}

A Message from y^e Burgeffes by M^r Edwin Thacker and Others.

May it Please Your Hon^{rs}

Wee are Comanded to Acq^t Yo^r Hon^{rs} that the Burgeffes have Agreed to y^e Amendm^{ts} made by y^e Council to the bill for Divideing *King & Queen County* Alfoe to y^e Amendm^{ts} Made to y^e bill Giveing power to y^e Sheriffs Attending y^e Gen^{ll} Courts to Summons Jurors and Evidences w^{thin} y^e City of *Williamfburgh*.

A Bill Entituled *an Act for y^e More Effectual Apprehending an Outlying Negroe whoe hath comitted divers Robberies and Offences* Read the Second time and Ordered a third Reading.

Council Adjourned till to Morrow Morning Nine of y^e Clock.

Fryday

Fryday 12th Sep^r 1701.

Present

W^M BYRD, Cha: Scarburgh, John Lightfoot, Matt: Page, Benj^o Harrison,
James Blair Esq^{rs}

A Message from the Burgeffes by Coll W^m Leigh and Others.

May it please Yo^r Hon^{rs}

Wee are Comanded by y^e house of Burgeffes to Acqu^t Yo^r Hon^{rs} y^e house desires
a Conference wth some of y^e Members of y^e Hon^{ble} Council concerning some Amendm^{ts}
made to y^e bill Entituled *An Act Concerning y^e Militia.*

Edm^d Jenings Rob^t Carter Esq^{rs} Added

Resolved.

That a Conference be Agreed to. And *Edm^d Jenings Esq^r Jⁿ Lightfoot Esq^r Matt
Page Esq^r* be Appointed to Manage the Conference

Ordered

That y^e Clerke of y^e Gen^l Affembly Acq^t the House of Burg: that y^e Council have
Agreed that three of their Members, Shall forthwth Conferr wth a Convenient Number
of y^e Burg: upon some Amendm^{ts} Made by y^e Council, to y^e Bill Entituled *an Act con-
cerning y^e Militia*, & this Conference to be in the Council Office.

A Bill Entituled *an Act for y^e bettr Strengthening y^e ffronters, & discovering y^e
Approaches of the Enemy* Read y^e third time wth Amendm^{ts}

Resolved

That y^e bill wth y^e Amendm^{ts} do pass

Ordered

That y^e Clerk of y^e Gen^l Affembly returne y^e S^d bill to y^e Burgeffes, and Acq^t them
that y^e Council have Agreed thereto wth the Amendments and desire the concurrence
of the House.

A Bill Entituled *an Act for y^e more Effectuall Apprehending an Outlying Negroe who
hath comitted divers Robberies & Offences* read y^e third time,

Resolved

That the bill doe pass.

Ordered—

That the Clerk of y^e Gen^l Affembly do returne the S^d bill to y^e Burg: and Acq^t
them that y^e Council have Agreed thereto w^{thout} any Amendm^{ts}

Charles Scarburgh Esq^r Absent

A Message from y^e Burg: by Coll: W^m Leigh and Others.

May it Please yo^r Hon^{rs}

Wee are Comanded by the House of Burg: to Acq^t Yo^r Hon^{rs} that the Burg: doe
Agree to all y^e Amendm^{ts} Made by yo^r Hon^{rs} to y^e Bill Entituled *an Act for the better
Strengthening the ffrontiers, and discovering y^e Approaches of an Enimie*, Save only this
one, where it is Said *y^e Lookouts Shall be paid by the Publick—(According to Agreem^t)*
Instead whereof they pray it may be Said (after the rate of two hundred pounds of
Tob^o 3^d Month) and thereto they pray yo^r Hon^{rs} Concurrence.

Resolved

That y^e Council doe not insift upon that One Amendm^t—But

Resolved

That y^e Bill doe pass as it is now Agreed to by the Burgeffes,

Ordered

That the Clerke of y^e Gen^l Affembly doe returne y^e S^d bill wth y^e Aforef^d Amendm^{ts}
to y^e Houe of Burgeffes

Conferrees about the militia Bill Return that they had come to a Resolution of
several amendments thereto to be made which were distinctly read

A Bill Entituled *an Act for Quieting the Possescon of Sev^l persons seated w^{thin} y^e
Bounds of y^e Land laid out for y^e Pomonkey Indians*, Read the Second time and Ordered
a Third Reading.

Council Adjourned till to Morrow Morning Nine of the Clock

Saturday

Saturday 13th Sep^r 1701.

Present

W^M BYRD, Edm^d Jenings, John Lightfoot, Matt Page, Rob^t Carter Esq^r
A Message from the Burg: by Coll: W^m Leigh and Others
May it please yo^r Hon^{rs}

Wee are Comanded by the Houfe of Burgeffes to returne to your Hon^{rs} a Bill Entituled *an Act for y^e better Strengthening y^e Frontiers & discovering the Approaches of an Ennemy*, and to Acquaint yo^r Hon^{rs} that the Burg: have Agreed, to y^e Sev^l Amendm^{ts} propofed by yo^r Hon^{rs} and Alfoe the Additional Clause and Accordingly have Amended the Same and pray yo^r Hon^{rs} Concurrence

Wee are Alfoe Comanded to p^rsent your Hon^{rs} wth an Addrefs to his Ex^{cy} to lay Open the Land Upon *Black Water Swamp*, and in *Pomonkey Neck*. Ordered that it lyes Upon The Table

Ordered

That the Bill be Agreed to as it is now Amended.

Council Adjourned till *Munday* Morning Nine of the Clock.

Munday 15th Sep^r 1701.

Present

H^{IS} Ex^{cy}, W^m Byrd, Edm^d Jenings, Matt: Page, James Blair Esq^r
His Ex^{cy} being Made Acquainted that y^e Houfe of Burgeffes was Adjourned.

Council Adjourned till to Morrow Morning Nine of the Clock.

Tuesday 16th Sep^r 1701.

Present

W^M BYRD, Matt: Page. James Blair Esq^r
A Message from the Burgeffes by Coll^o Miles Cary and Others, Who present the following Refolve

Sep^r 16th 1701

By y^e House of Burgeffes

Resolved and Accordingly Ordered

That y^e Sum of Two hundred Eighty Three Pounds five fhillings *Sterling* be put into y^e Hands of the Truftees of the City of *Williamsburgh* for paym^t of the Severall proprietories concerned in the Land taken for y^e faid City

Council adjourned till to Morrow morning Nine of y^e Clock

Wednesday 17th Sep^r 1701

Present

W^M BYRD, Edm^d Jenings, John Lightfoot, Matt: Page, James Blair Esq^r
Addrefs from the Houfe of Burgeffes to his Ex^{cy} to lay Open the Lands in *Black water Swamp* and in *Pamonkey Neck* that Patents may iffue to which they pray the Concurrence of the Council the Same being read.

Resolved

That the Council do agree and concurr wth the Houfe in this Addrefs.

Ordered

That the Clk of the Generall Affembly carry the faid Addrefs to the Houfe and acquaint them that their Honors have agreed thereto

His

His Ex^{cy} Present

A Meffage from the Burgeffes to his Ex^{cy} by Coll *William Leigh* & others

May it Please y^r Ex^{cy}

Wee are Comanded by y^e Houfe of Burgeffes to acquaint y^r Ex^{cy} that the Houfe have prepared an addrefs to y^r Ex^{cy} in Anfwer to y^r Ex^{cy}'s Speech and y^e fev^{ll} Meffages Sent by y^r Ex^{cy} to y^e Houfe.

And pray that y^r Ex^{cy} will be pleased to appoint a time to Receive the Houfe and their Speaker to Present the Same.

To w^{ch} his Ex^{cy} replied

S^r

Acquaint the Houfe that I expected to have received this meffage fome time agoe, and the fooner the better.

The Speaker and the Houfe of Burgeffes attending M^r *Speaker* expreffed himfelve thus

May it Please y^r Ex^{cy}

Wee his Maj^{ties} Loyall [See J. of H. of B., pp. 298-9.]

May it Please Y^r Excellency

Since preparing [See J. of H. of B., p. 300.]

The Refolve of yefterday that the Sum of Two hundred Eighty Three Pounds five fhillings &c^t being read

Resolved

That the Council Concurs wth y^e Houfe in the aforefaid, And that it be returned to y^e Houfe.

A Meffage from y^e Burgeffes by Coll *Miles Cary* and others who prefent this following refolve.

7^{br} y^e 12th 1701

By y^e Houfe of Burgeffes

The Houfe haveing taken into Confideraçon a propofition from his Ex^{cy} and the Council Yefterday

Resolved

That it is the Opinion of this Houfe

That it is neceffary a Law be made directing what Charges fhall be paid by y^e Publick and what fhall be paid out of his Maj^{ties} Revenue

Ord^d That it be referred to y^e Comittee for revifall of the Lawes to confider the faid matter and prepare a Bill concerning the Same.

W^m Randolph Cl H Burg.

His Ex^{cy} acquainting [See J. of H. of B., p. 301.]

A Meffage from the Burgeffes to his Ex^{cy} and the Council by Coll *W^m Leigh* and others who brought the following refolve in anfw^r to y^e aforefaid propofition

Wednesday 7^{br} 17th 1701

By the Houfe of Burgeffes

Resolved

That it is the Opinion of this Houfe

That it will be for his Maj^{ties} Service and y^e Intereft of this Colony that his Maj^{ties} Ship y^e *Lincoln* and his Maj^{ties} Ship the *Shoreham* be joyned together and to go in One fleet.

Resolved. That it is the Opinion of this Houfe

That it is proper to lay an Embargoe vpon all Ships Outward bound to Stay, and take Convoy under the aforefaid Ships

W^m Randolph Cl H: Burg.

Resolved

That his Ex^{cy} and y^e Council Concurr wth the Houfe in y^e above refolve, and that an Ord^r be drawn for that purpofe to Stop the Ships & Veffels bound for *England* untill y^e fifteenth of *October* next.

Councill adjourned till to Morrow Morning Nine of the Clock.

Thursday

Thursday 18th Sep^r 1701

Present

W^M BYRD, Edm^d Jenings, John Lightfoot, Robert Carter, James Blair Esq^r
A Message from the Burgeffes by Coll W^m Leigh and others.
May it Please y^r Hon^{rs}

Wee are comanded by the Houfe to waite vpon y^r Hon^{rs} and to present an Addrefs drawn by the Houfe to His Moft Sacred Maj^{tie} concerning y^e matt^{rs} relateing to *New York*, and they thereto pray y^r Hon^{rs} concurrence.

Matt: Page Esq^r added

The Addrefs to his moft Sacred Maj^{tie} read the first time and Ordered a Second reading.

A Message from the Burgeffes by Coll W^m Leigh and Others
May it Please Y^r Hon^{rs}

Wee are Comanded by y^e Houfe of Burgeffes to waite vpon y^r Hon^{rs} and to present an Addrefs made by y^e Houfe to his Moft Sacred Maj^{tie} wherein they represent to his Maj^{tie} that they have Appointed M^r W^m Byrd Jun. their Agent and they pray y^r Hon^{rs} Concurrence thereto.

Council adjourned till to Morrow Morning Nine of y^e Clock

Fryday y^e 19th Sep^r 1701

Present

HIS Ex^{cy}, W^m Byrd, Edm^d Jenings, John Lightfoot, Matt: Page, Robert Carter, James Blair Esq^r
A Message from y^e Burgeffes by M^r Rob^t Beverley and Others.
May it Please y^r Ex^{cy} & Hon^{rs}

Wee are Comanded by the Houfe of Burgeffes to lay before y^r Ex^{cy} & Hon^{rs} M^r Treafurers Acc^{ts} and pray y^r Ex^{cy} & Hon^{rs} Concurrence

His Ex^{cy} Absent

A Message from y^e Burgeffes by Coll Miles Cary and Others.

Wee are Comanded by the Houfe of Burgeffes to waite vpon y^r Hon^{rs} and to lay before you a Bill Entituled *An Act giving further direccons in building y^e Capitoll and for building a Publick Prison*. Also a Bill continueing y^e Acts Laying Impositions upon Liquors Serv^{ts} and Slaves untill y^e 25th Decemb^r 1703 to both which Bills they pray y^r Hon^{rs} Concurrence

Wee are further Comanded to Acquaint y^r Hon^{rs} that the Houfe have nothing more that now lies before them

Ordered

That y^e Clk of y^e Gen^l Affembly carry to the Houfe of Burgeffes this following Message in writing

By the Council

M^r Speaker & Gent. of y^e Houfe of Burgeffes

The Council have [See J. of H. of B., p. 303.]

His Ex^{cy} Present

Ordered

That the Proceedings of his Ex^{cy} and the Council heretofore had concerning fortifications and the Securety and defence of this his Maj^{ties} Colony be laid before y^e Houfe of Burgeffes and that they deliver their Opinion therevpon.

And also to acquaint the Houfe that his Ex^{cy} does not find that the Houfe have made any direct Anfwr to y^e Proposition concerneing an Addrefs to be made to his Maj^{tie} that two Engineers, or Fire Mastr^s well Skilled in Manageing Mortar Pieces Granades and all fire workes for Shippes in Warr may be sent hither, and all materialls for that purpose, wth Granadeer & Dragoon Armes which his Ex^{cy} Expects

His

His Ex^{cy} Absent
 A Message from y^e Burgeffes by L^t Coll W^m Gough.
 An Answer to y^e Council Message as followeth

Fryday 7^{br} 19th 1701

By the House of Burgeffes

May it Please y^r Hon^{rs}

In answer to y^e Hon^{rs} Message [See J. of H. of B., p. 303.]

By the House of Burgeffes

Resolved

That it is the Opinion of this House that this Country is not of ability to build any fortificacons and that if it were the benefit would not countervaille y^e Charge.

W^m Randolph Cl H Burg.

Wednesday 7^{br} 3^d 1701

By y^e House of Burg.

Resolved

That it is y^e Opinion of this House vpon his Ex^{cy} fifth proposition y^t this Countrey is not Able to pay the Charge of Engeneers and fire Mastrs, or the materialls Suitable fore fire workes and fire Ships

W^m Randolph Cl H: Burg.

Sep^r y^e 19th 1701

By the House of Burgeffes

Ordered

That a Copy of y^e Refolve of this House vpon his Ex^{cy} fifth proposition be sent as an answ^r to his Ex^{cy}s message this day and that his Ex^{cy} be acquainted that the Subject matter thereof was not willfully Omitted in o^r Address

W^m Randolph Cl H Burg.

A Bill Entituled *an Act giving further directions in building the Capitoll and for building a Publick Prison* read the first time and Ordered a Second reading.

A Bill Continueing y^e Acts laying impositions vpon Liquors Servants, & Slaves untill y^e 25th of Decembr 1703 read the first time and Ordered a Second Reading.

Council adjourned till to Morrow Morning Nine of the Clock

Saturday Sep^r 20th 1701

Present

HIS Ex^{cy}, W^m Byrd, Edm^d Jenings, John Lightfoot, Matt Page, Robert Carter,
 James Blaire Esq^{rs}

Ordered

That the Clk of y^e Gen^l Assembly doe acquaint the House of Burgeffes. That the Refolve of y^e House sent Yesterday (wherein they say, that this Country is not of Ability to build any fortificacons, and that if it were the benefit would not countervaille the Charge) is not a full Answ^r to the Message sent from his Ex^{cy} and the Council, which requires the Opinion of y^e House Concerning a Naval force. Whether that is any Security and defence to this Country as well as concerning Land fortificacons both which were contained in the Paper then sent to the House.

And also acquaint the House that the Ord^r of the House Yesterday concerning his Ex^{cy}s fifth proposition is not fully Answered, for that proposition never intended that they should come in at y^e Country Charge. But that the House might Joyne in an Humble Address to his Maj^{ty} That two Engeneers or fire Mastrs for warr may be sent hither, with all Materialls for that purpose wth Granadeer Armes. And as in another Paper laid before the House Hand Mortars and Granadees suitable and fitt for them wth pistoll powder and pistoll bullets all which is by his Ex^{cy} and the Council thought to be much for his Maj^{ties} Service and Interest and the Safety and Security of this Country—

Council Adjourned till *Munday* Morning Nine of the Clock.

Munday

Munday Sep^t 22^d 1701

Present

W^M BYRD, Edm^d Jenings, Robert Carter, James Blair Esq^{rs}
Ordered

That y^e Clk of y^e Gen^l Assembly do go to y^e House of Burgeffes and
 Comand their attendance vpon his Ex^{cy} in Council

Burgeffes Attend

His Ex^{cy} Exprefsed himfelve thus

M^r Speaker and Gentlemen of y^e House of Burg

Y^r Refolve of y^e 17th inf^t [See J. of H. of B., pp. 304-6.]

Ordered

That the Meflage prepared on *Saturday* laft be fent to y^e House of Burgeffes, be
 delivered into y^e House to Morrow Morning

Council Adjourned till to Morrow Morning Nine of the Clock

Tuesday 23^d Sep^t 1701

Present

W^M BYRD, Edm^d Jenings, Robert Carter, James Blair Esq^{rs}

A Bill Entituled *an Act giving further directions in building the Capitoll
 & for building a Publick Prifon* read y^e Second time & Comitted for Amend-
 ments.

A Bill Continueing y^e Acts laying impositiion vpon Liquors Servants and Slaves
 untill the 25th *December* 1703 read the Second time and Ordered a third Reading.

A Bill Entituled *An Act for Quieting y^e Poffeffion of feveral Persons feated w^{thin} y^e
 bounds of y^e Land Laid out for y^e Pamunkey Indians* agreed to by the Council and Ordered
 that the Bill do Pafs.

Council adjourned till to Morrow Morning Nine of the Clock

Wednesday 24th Sep^t 1701

Present

H^{IS} Ex^{cy}, W^m Byrd, Edm^d Jenings, Robert Carter, James Blair Esq^{rs}
 A Meflage from the House of Burgeffes by Coll Miles Cary and Others.
May it Please Y^r Ex^{cy}

Wee are Comanded by y^e Houfe to waite vpon y^r Ex^{cy} & to acquaint y^r
 Ex^{cy} y^t y^e houfe have prepared an Addrefs and defire to know when y^r Ex^{cy} will please
 to Appoint a time to have the Same prefented.

To w^{ch} his Ex^{cy} replied, now if they please

The Speaker and the House of Burg. attending vpon his Ex^{cy} & y^e Council in y^e
 Council Chamber.

The Speaker Exprefsed himfelve thus

May it Please Y^r Ex^{cy}

Wee his Maj^{ties} [See J. of H. of B., pp. 307-8.]

To w^{ch} his Ex^{cy} exprefsed himfelve Thus.

Gentlemen

You have in y^e Latter part of yo^r Addrefs tyed me Up from Anfwearing to y^e pre-
 mifes till I fee y^e Bill therein Mençoned, w^{ch} you fay fhall be difpatched wth all Expediçon
 But you muft give me leave to make this Obfervacion that as concerning the Character
 you give of my Valour & Conduct as you are pleased to terme it, I fhall By Gods Affift-
 (ance) as Long as I continue in this Station, make it my Study and Endeavours to Merrit
 that High Character.

And

And perceivēg that noe Arguēments or reafons will convince you but Ocular demonftraçōns, I hope if Such a thing Should happen that this Country (w^{ch} God forbid) Should be Invaded by y^e ffrench I fhall have y^e Hon^r to fight in the Head of You.

24th Sep^r 1701

A Bill Continueing y^e A^cts laying Impofition Upon Liquors, Servants and Slaves, Untill y^e 25th of *December* 1703. Read the Third Time and Agreed to by the Council.

Refolved That y^e bill doe Pafs.

Ordered

That y^e Clerk of y^e Gen^l Affembly doe Carry y^e Said bill to y^e Houfe of Burgefles and Acquaint them that y^e Council have confented thereto wthout Any Amendmēt.

A Bill Entituled *an A^ct Giveing further direçtions in Building y^e Capitoll and for building a Publick Prifon* Read the third time wth y^e Amendm^{ts}

Refolved

That y^e Bill wth y^e Amendm^{ts} doe Pafs

Ordered

That y^e Clerk of y^e Gen^l Affembly doe Carry y^e S^d Bills to y^e Houfe of Burgefles and Acq^t them that y^e Council have Agreed thereto wth fome Amendm^{ts} which they herewith Send and defire the Concurrence of the Houfe.

Ordered. That y^e Clerk of the Gen^l Affembly carry to the Houfe of Burgefles y^e Bill Entituled *An A^ct For Quietting y^e Poffefçon of Sev^l perfons Seated wthin the bounds of y^e Land laid out for y^e Pomonkey Indians*, and Acq^t them that y^e Council have Agreed thereto wthout Any Amendments.

Coll: *Carters* Acco^{ts} Affented to by his Exc^y And the Council.

Ordered

That y^e Clerk of the Gen^l Affembly doe Carry to the Houfe of Burgefles (*Viz*)

That y^e Council have now Under their Confideration the two Addreffes Made by the Houfe of Burgefles to his Moft Sacred Maj^{ty} Dated the 18th *Instant* both w^{ch} they Pray y^e Councils Concurrence.

The Council defired an Imediate Free Conference may be thereupon had by three of their Members, wth Such a Convenient Number of y^e Burgefles as the Houfe Shall think fit to be held in the Council Chamber it being in their Apprehençon the Shorteft Way to come to a Conclufion in thofe Affaires

Ordered

That *Edm^d Jenings* Efqr *Robert Carter* Efqr & the Reverend *James Blair* Efqr Manage the Conference.

A Meflage by Coll: *Leigh* and Others from y^e Houfe of Burgefles.

Jonathan Gladman and *Hen^{ry} Forty* their petition laid before y^e Houfe of Burgefles.

The Claufe of Govern^r *Blackiftone* Lett^r referred by his Exc^y to y^e Houfe of Burgefles.

A Meflage from y^e Houfe of Burgefles by Coll: *W^m Leigh* and Others.

Wee are Comanded by y^e Houfe to waite Upon Your Hon^{rs} & to present a Bill Entituled *an A^ct for Levying And Armeing an Effectual force in time of Danger*, And thereto pray yo^r Hon^{rs} Concurrence.

Read the firft time and Ordered a Second Reading

Wee are further Comanded to Acq^t Yo^r Hon^{rs} that wee have Co^municated to y^e Houfe what yo^r Hon^{rs} were pleafed to fay Unto us in y^e Conference concerning y^e Addreffes to his Moft Sacred Maj^{ty} and Are Comanded to Acq^t Yo^r Hon^{rs} that y^e former Refolve of y^e Houfe being that y^e Addrefs to his Maj^{ty} Should Containe all Neceffary Matter the Houfe cannot refide [recede] from it

Council Adjourn'd till to Morrow Morning Nine of the Clock.

Thursday

Thursday 25th Sep^r 1701

Present

W^M BYRD, Edm^d Jenings, Robert Carter, James Blair Esq^{rs}
A Bill Entituled *an Act giving further directions in Building y^e Capitol
and for Building a Publick Prison* Agreed to wth y^e Amendm^{ts}
Ordered

That y^e Clerk of y^e Gen^l Affembly returne y^e S^d bill to y^e Houfe of Burgeffes and Acq^t them therewith.

His Ex^{cy} Present

A Message from y^e Houfe of Burgeffes to his Ex^{cy} and the Council by Cap^t Harrison and others
May it please Yo^r Ex^{cy}

I am Comanded by y^e Houfe to waite Upon Yo^r Ex^{cy} and to present yo^r Ex^{cy} wth a Message wth a resolve of y^e Houfe in Anfwear to yo^r Ex^{cy}s Speech, concerning yo^r Ex^{cy}s fifth proposi^{on}.

I am also Comanded to present yo^r Ex^{cy} wth a Resolve of y^e Houfe in Anfwear to yo^r Ex^{cy}s Message concerning a Navall force.

Ordered

That y^e Clerk of y^e Gen^l Affembly Acq^t the Houfe of Burgeffes that y^e Gentlemen of y^e Council who Yesterday held a Conference wth some of y^e Members of y^e Houfe of Burgeffes, desire that y^e Conference may be now forthwith continued upon y^e Same Subject in y^e Same place.

His Ex^{cy} Absent

Edm^d Jenings Esq^r from y^e Conference wth the Burgeffes mad report that Upon Conference wth the Burgeffes Upon y^e Addrefs to y^e King, they had come to a resolu^{on} of Makeing Sev^l Amendm^{ts} and y^e Same were comited to be drawne against to Morrow Morning, According to y^e Resolve by y^e Hon^{ble} Rob^t Carter Esq^r and y^e Rev^d James Blair Esq^r

And He further Made report that y^e Council had Agreed to y^e Addrefs concerning y^e Agent.

Council Adjourned till to Morrow Morning Nine of y^e Clock.

Fryday y^e 26th Sep^r 1701

W^M BYRD, Edm^d Jening, Robert Carter, James Blair Esq^{rs}
A Message from y^e houfe of Burgeffes by Cap^t Jos: ffofter and Others who present y^e following Message

ffryday 26th Sep^r 1701

By y^e Houfe of Burgeffes

May it please Yo^r Hon^{rs}

Wee have noe Manner [See J. of H. of B., p. 311.]

A Bill Entituled *an Act for y^e Leavying and Arming an Effectual force in time of danger* Read the Second time and Comitted for Amendments to Edmund Jening Esq^r

Ordered

That y^e Clerk of y^e Gen^l Affembly Acq^t y^e Houfe of Burgeffes, that y^e Council have now y^e Book of Claimes and [after] their confidera^{on} desires y^e Houfe to Send them all y^e papers relateing to y^e Claimes of W^m Holt, Richard Faffaker & Sam^l Todd of Stafford County

Ordered

That y^e Clerk of y^e Gen^l Affembly carry this following resolve to y^e Houfe of Burgeffes

Resolved

That y^e Sev^l proceedings of y^e Houfe of Burgeffes concerning *Black Water & Pomonkey Neck Lands* be Agreed to Except only the last Clause in Page y^e Sixth and y^e Resolve thereupon

thereupon in Page Seaventh w^{ch} wee take to be a division in Matter of Right and not heareing any of y^e Arguem^{ts} Ufed and laid downe cannot determine that Poynt, and therefore propofe that they be Expunged.

Ordered

That y^e Clerk of y^e Gen^l Affembly acq^t The Houfe of Burgeffes that y^e Council Affent to y^e Book of Claimes, Provided the Sum of One hundred forty Six pound Eight Shillings and three pence *Sterl*: formerly laid before the Houfe, Paid by M^r *Auditer* for Sev^l Difburfm^{ts} and the Sum of Sixty three pounds *Sterl*: paid to M^r *Henry Tyler*, for Sixty Three Acre of Land Adjoyneing to y^e City of *Williamfburgh* to y^e Lots Affigned for the Govern^r Houfe to be thereunto added,

Ordered

That y^e Clerk of y^e Gen^l Affembly Acq^t y^e Houfe of Burgeffes that y^e Refolve of y^e Houfe of y^e Third, fifth & Ninth of *Sep^r 1701*. Relateing to y^e Revifal of y^e Lawes Are Agreed to wth this Addition that in Cafe either of y^e Affiftants or Clerk Should happen to dye, or be uncapable to perform And finifh y^e Same, that then he be confidered & paid proporconably for y^e Service he has done & y^t Whofoever Shall funifh y^e Same fhall be Allowed and paid y^e Remainder.

The Council being very Sencably that *Robert Pasley* is not Capable nor Able to difcharge y^e Office of Interpreter to y^e *Pomonkey* Indians, And they not knowing Any fit for that Service, propofes y^e Houfe of Burgeffes to Nominate one w^{ch} they think fit to performe it, if they think there is any Neceffaty for Such a One.

A Meffage by Cap^t *Harrifon* from y^e Houfe of Burgeffes

May it please Yo^r Hon^{rs}

I Am Comanded by y^e Houfe to Acq^t Yo^r Hon^{rs} that y^e Houfe have Agree'd to yo^r Hon^{rs} Addition made to y^e Refolve of y^e Houfe concerning Allowances to y^e Revifall and Accordingly Added y^e Same.

Ordered

That y^e fame be Agree'd to by y^e Council and returne to y^e Houfe of Burgeffes.

I am Alfo Comanded by y^e Houfe to Acq^t Yo^r Hon^{rs} that y^e Houfe cannot Agree to y^e two Artickles propofed by yo^r Hon^{rs} of One hundred forty Six pounds Eight Shillings & three pence, and Sixty three pounds and pray that yo^r Hon^{rs} will please to pafs Without

Council Adjourned till to Morrow Morning Nine of y^e Clock.

Satterday 27th Sep^r 1701.

Present

W^M *BYRD, Edm^d Jennings, Rob^t Carter, James Blair Elq^r*
A Meffage to y^e Council by Coll *W^m Leigh* and Others from y^e Hous of Burgeffes.

Who present y^e following Refolve

Sep^r 27th 1701.

By y^e Houfe of Burgeffes

In Anfwear to yo^r Hon^{rs} Meffage [See J. of H. of B., pp. 316-7.]

A Meffage to y^e Council by L^t Coll: *Miles Cary* & Others from y^e Houfe of Burgeffes.
May it Please Yo^r Hon^{rs}

Wee are Comanded by y^e Houfe of Burgeffes to Acq^t Yo^r Hon^{rs} that y^e Houfe have Agreed to y^e Amendm^{ts} made by yo^r Hon^{rs} to y^e Adrefs to his Sacred Maj^{tie} Concerning y^e Buiffines of *New York*, and have Ordered y^e Same to be drawn ffaire.

Saturday Sep^r 27th 1701.

By y^e Houfe of Burgeffes

Resolved and Accordingly Ordered

That M^r *Treasurer* out of y^e Monys in his hands for y^e Impositions of Liquors by y^e firft Conveniency remitt unto M^r *W^m Byrd* our Agent in *England* y^e Sum of Three hundred
pound

pound *Sterl*: to be Employed and made Use of as Occasion requires in Solifiting our Addrefs to his Maj^{tie} and in Carrying on the buiffinels of y^e Agency Comitted to his Charge

W^m Randolph Cl H Burg:

Ordered

That y^e Clerk of y^e Gen^l Affembly carry this Meffage to y^e Houfe of Burgeffes (Viz^t)

By the Council 27th Sep^r 1701.

Mr Speaker and Gentlemen of y^e House of Burgeffes

Wee have yo^r Anfwear [See J. of H. of B., pp. 321-2.]

Saturday 27th Septem 1701.

By y^e House of Burgeffes

Resolved

That this Houfe doth adhere to y^e laft of their Refolves Concerning *Black Water* and *Pomonkey* Neck Lands, for y^e dividing Six Thoufand one hundred Sixty Acres of Land between *John Buckner* and *Chichely Corbin Thacker*.

Ordered

That a Copy of this Refolve be carryed to y^e Council and their Hon^{rs} be defired to pafs all the Refolves Relateing to *Black Water* and *Pomonkey* Neck Land wthout Any further reference.

W^m Randolph Cl: H Burg:

Ordered That y^e Clerke of y^e Gen^l Affembly goe to y^e Houfe of Burgeffes and Acq^t that his Ex^{cy} Comands the Imediate Attendance of the Houfe.

The Houfe Attending.

His Ex^{cy} Exprefsed himfelfe Thus.

Gentlemen

I am heartily Sorry [See J. of H. of B., pp. 318-21.]

His Ex^{cy} Abfent

Ordered

That y^e Clerk of y^e Gen^l Affembly Acq^t y^e Houfe of Burgeffes That,

Whereas a Bill hath been prepared this Seffion of Affembly, Entituled *an Act for y^e more Effectuall Apprehending and Outlying Negroe who hath Comitted divers Robberies and Offences*, w^{ch} Negroe is Since come in and Surrendered himfelfe and is now here in y^e Cuftody of y^e Sheriff of *James City* County,

The Same is recomended to y^e houfe of Burgeffes for their Opinion what is to be done wth him.

A Meffage from y^e houfe of Burgeffes to his Ex^{cy} and y^e Council by Mr *Gideon Macon* & Others.

May it please Yo^r Ex^{cy} and Hon^{rs}

Wee are Comanded by y^e houfe to returne this Anfwear to yo^r Ex^{cy} and Hon^{rs} Meffage concerning the Negroe

Saturday 7^{bre} 27th 1701.

By the House of Burgeffes

Resolved

That it is y^e Opinion of this Houfe that if one bill w^{ch} hath paffed y^e Council and Burgeffes this Seffion, Entituled *an Act for y^e More Effectuall Apprehending an Outlying Negroe who hath Comitted divers Robberies & Offences*, be Affented to by his Ex^{cy} it doth Sufficently provide & direct what Shall be done wth y^e S^d Negroe.

Council Adjourn'd till *Munday* Morning Nine of y^e Clock.

Munday

Munday 29th Sep^r 1701

Present

HIS EX^{cy}, W^m Byrd, Edm^d Jenings, Rob^t Carter, James Blair Esq^{rs}
Ordered

That y^e Clerke of y^e Gen^l Affembly Acq^t the Houfe of Burgefles that his Ex^{cy} Comands y^e Imediate Attendance of y^e Whole Houfe Upon his Ex^{cy} in the Council Chamber, and to bring with them w^t Bills they have ready prepared for his Ex^{cy} to pafs.

A Meffage from y^e Houfe of Burgefles by M^r Westcomb and Others Who broughtt to y^e Council,

An Engroffed Bill Entituled *An Act for y^e More Apprehending an Outlying Negroe who hath Comitted Divers Robberies and Offences.*

An Engroffed Bill Entituled *an Act giveing power to y^e Sheriffs Attending y^e Gen^l Courts to Summon Jurors & Evidences w^{thin} y^e City of WilliamfBourgh and halfe a Mile Round y^e Same.*

An Engroffed Bill Entituled *an Act for y^e better Strengthening the ffrontiers, and discovering y^e Approaches of an Enemy.*

Which were all Read and Compared wth y^e Originals and found Agreeable thereunto.

The Houfe of Burgefles Attending his Ex^{cy}—

M^r Speaker Expreffed himfelfe Thus

May it please Yo^r Ex^{cy}

Wee his Maj^{ties} Moft Loyall and Dutifull Subjects The Burgefles, In Obedience to yo^r Ex^{cy}s Command do now Attend Yo^r Ex^{cy} and Present to yo^r Ex^{cy} Three Bills Affented to by his Maj^{ties} Hon^{ble} Council this Seffion of Affembly, And to Submit to yo^r Ex^{cy}s prudence for Approbation and they are.

(1) *An Act for y^e better Strengthening y^e ffrontiers and discovering y^e Approaches of an Enemy,*

(2) *An Act for y^e more Effectual Apprehending an Outlying Negroe, Who hath comitted divers Robberies and Offences,*

(3) *An Act Giveing Power to y^e Sheriffs Attending the Gen^l Courts to Summons Ju^{rs}ors and Evidences w^{thin} the City of WilliamfBourgh, and a half a Mile Round y^e Same*

To all w^{ch} Aforef^d Acts his Ex^{cy} was Pleafed to give his Affent, And y^e Same were Signed by his Ex^{cy} and M^r Speaker.

After w^{ch} His Ex^{cy} Expreffed himfelfe to y^e Houfe of Burgefles Thus.

Gentlemen

I hope in God [See J. of H. of B., p. 323.]

A Meffage from y^e Burgefles to his Ex^{cy} by M^r Miles Cary and Others.

May it please yo^r Ex^{cy}

Wee are Comanded by y^e Houfe of Burgefles to Acq^t yo^r Ex^{cy} that y^e Houfe have prepared an Addrefs to yo^r Ex^{cy} And pray to know the time when y^e Houfe wth their Speaker may Attend yo^r Ex^{cy} to Present it.

His Ex^{cy} Anfweared, now if they Pleafe

The Houfe attending M^r Speaker Expreffed himfelfe Thus

May it Please Yo^r Ex^{cy}

Wee his Maj^{ties} Moft Loyall [See J. of H. of B., pp. 324-5.]

Meffage by M^r Beverly and Others who p^rsent y^e following Refolve, concerning y^e Bill for Levying & Arming an Effectual force in time of Danger.

By the Houfe of Burgefles.

Munday Sep^r 29th 1701.

In Anfwer to yo^r Hon^{rs} Meffage [See J. of H. of B., pp. 323-4.]

By the Houfe of Burgefles

Resolved

That y^e Houfe doth Agree to joyne wth a Comittee of y^e Council to fee what hath been done wth his Maj^{ties} Governm^t of New Yorke and the five Nations of Indians.

W^m Randolph Cl: Ho: Burg:

Edm^d

Edm^d Jenings Esq^r Rob^t Carter Esq^r and the Rev^d James Blair to Manage y^e Comittee. Ordered.

That y^e Clerk of y^e Gen^l Affembly acq^t y^e Houfe of Burgefles, that Three of y^e Hon^{ble} Council are Appointed to joyne in a Comittee wth a Convenient Number of y^e Houfe of Burgefles to make Search and Inquiry what hath been done in his Maj^{ties} Governm^t of *New York* and the five Nations of Indians Imediately in y^e Council Chamber.

And Also that y^e Council defire a Conference Upon y^e Subject Matter of y^e Bill Entituled *An Act for Levyng and Arming an Effectual force in time of danger*, Upon their Amendments Made thereto; and yo^r Anfwear thereupon, by three of y^e Council wth a Convenient Number Of the Burgefles forthwth in y^e Council Chamber

Also a Conference upon y^e Book of Claimes.

Meffage to the Council by M^r Cary & Others, to Acq^t their Hon^{rs} that they were Appointed by the Houfe of Burgefles in Anfwear to yo^r Hon^{rs} Meffage to Conffer wth their Hon^{rs} About y^e Book of Claimes.

Meffage to y^e Council by M^r Beverly and Others to Acq^t their Hon^{rs} that they were appoynted by the Houfe of Burgefles purfuant to their Hon^{rs} Meffage to joyne in a Comittee to Serch and Inquire what hath been done in his Maj^{ties} Governm^t of *New York* and wth the ffive Nation of Indians.

Meffage to y^e Council by M^r Bland and Others to acq^t their Hon^{rs} that they were Appointed by y^e Houfe of Burgefles, purfuant to their Hon^{rs} Meffage to joyn in a Conference About a Bill Entitull'd *an Act for Levyng and Arming an Effectuall force in time of Danger*.

Tuesday Ult: Sep^r 1701.

Present

W^M BYRD, *Edm^d Jenings, Robert Carter, James Blair Esq^{rs}*

The Hon^{ble} *Edm^d Jenings Esq^r* from y^e Comittee Acq^t y^e Houfe that they had Acquainted the Gentl^{mn} of y^e Houfe of Burgefles, wth all y^e Matters relateing to y^e Artickles of Agreem^t Made wth the five Nations of Indians at *Albany*, wth the proceedings of Govern^r *fletcher* the Lords Juftices Inftuctions thereto relateing, And that they replyed they would Acq^t y^e Houfe wth it.

And from y^e Conferrance Upon y^e Bill Entituled *an Act for Levyng and Armeing an Effectual force In time of danger*, that they had laid downe all the Arguements and reasons they could for Expungeing the Clause as mençoned in y^e Amendm^{ts}: they Anfweared, they had Only Comiçon to hear our reasons for y^e Expungeing of it, and would report it to y^e Houfe.

And from y^e Conference Upon y^e Claimes, that they had given all y^e reasons they could frame to Induce y^e Burgefles, to Allow the two Articles, they Answered the Houfe had refolved it was no Country Charge, that they were of Oppinion it was time Enough to purchase Land Adjoyneing, when they went About Building y^e Houfe, that when y^e Towne was Built, they might find Land in y^e Town.

About y^e Charge to y^e Pyrates, some was for Other Ufes, and Upon the Whole they thought it noe Country Charge.

By His Ex^{ty}

Ordered

That y^e Clerk of y^e Gen^l Affembly Acq^t y^e Houfe of Burgefles, w^t his Ex^{ty} recomends to y^e Houfe to Send forthwith to his Ex^{ty} and the Council the Order (mentioned in their Addrefs of Yefterday) y^t y^e Truftees of y^e City of *Williamsburgh* doe wth all Expediçon Make a Tender of y^e Mony due to Each proprietor concerned in y^e S^d Land taken Up for y^e S^d City &c^t that it may pafs by his Ex^{ty} and the Council,

Resolved

Upon further Confideraçon had of y^e Two laft Claufes of y^e refolves of y^e Houfe of Burgefles Page Six & Seven concerning *Black Water & Pomonkey Neck Lands*, and y^e proceeding

proceeding of y^e Affembly *Anō* 1699 thereto relateing and finding y^e S^d Affembly had Adjudged Two Thoufand Acres to y^e S^d *Mallory* and Three Thoufand Five hundred to *Chickly Corbin Thacker*, The Council Consents & Concurrs to y^e S^d Refolves, this Clause being Added to y^e End of y^e S^d Refolve.

Ordered That y^e Clerk of y^e Gen^l Affembly acq^t the Houfe of Burgefles wth this Refolve.

Ordered

That the Clerk of y^e Gen^l Affembly acq^t y^e Houfe of Burgefles, that his Ex^{cy} cannot be of their Opinion that y^e Sum of Sixty three pounds for y^e purchase of Sixty three Acres of Land & c^t and the Sum of One hundred forty Six Pounds five Shillings & three pence Paid by M^r Auditor *Byrd* for Sev^l difburfm^{ts} & c^t for it is his Ex^{cy} Opinion y^e fame is as much a Country Charge as any within the Book of Claimes, and therefore infists that thefe be fome way or other Sattisfied by the Publick & if he did not doe foe, fhould Judge himfelfe Guilty of Unfaithfullnefs to his moft Sacred Majeftie.

By the Council

M^r Speaker & Gent^l of y^e Houfe of Burgefles

Wee have before us [See J. of H. of B., p. 327, line 28.]

By y^e Hon^{ble} Council

M^r Speaker & Gent^l of y^e Houfe of Burgefles

Wee hope for y^e reafons [See J. of H. of B., p. 327, line 15.]

Ordered.

That y^e Clerk of y^e Gen^l Affembly acq^t y^e Houfe wth this Meffage.

By His Ex^{cy}

Ordered

That y^e Clerk of y^e Gen^l Affembly acq^t the Houfe of Burgefles that his Ex^{cy} thinks [See J. of H. of B., p. 327, line 37.]

A Meffage to his Ex^{cy} by M^r *Beverly* and Others

May it please yo^r Ex^{cy}

Wee are Comanded by y^e houfe of Burgefles to return an Anfwear to yo^r Ex^{cy} Meffage, concerning joyning in a Committee wth y^e Council to Confider w^t is proper to be write to y^e Govern^r of *New Yorke* and to prefent this refolve in Anfwear.

Tuesday Sep^r 30th 1701.

By y^e Houfe of Burgefles

Resolved Nemine Contra dicente

That it is y^e Opinion of this Houfe

That it is noe Concerne of this houfe to Cornunicate their proceedings to y^e Govern^{mt} of *New Yorke* upon his Maj^{ties} Royall Letter of y^e 19th Jan^{ry} 1701. and therefore they Humbly defire to be Excused that they Cannot Agree to joyne in a Committee wth y^e Council According to his Ex^{cy}s propofalls for Confi-ring [confidering] what is proper to be writt to that Governm^t

Peter Beverly Speaker

Alfo he prefented an Order About y^e Money to be paid to y^e Propriet^{rs} of y^e Land taken Up for y^e City of *Williamsburgh*

Tuesday Sep^r 30th 1701.

By y^e Houfe of Burgefles

Ordered

That a Conference be defired wth y^e Council concerning Suitable Inftuctions on a Lett^r to y^e Agent

W^m Randolph Cl: H Burg:

By his Ex^{cy}

Upon which his Ex^{cy} Comanded y^e Clerk of y^e Gen^l Affembly to write downe that Since his Ex^{cy} had Sent to y^e Houfe a Meffage to defire them to joyne in a Committee wth y^e Council to Confider what is proper to be write to y^e Governor of *New Yorke* in relacon
of

of his Maj^{ties} Lett^r of y^e 19th Jan^{ry} 1701. Concerning the Nine hundred pounds and a Quota of Men &c^t w^{ch} Committee they refuse^s his Ex^{cy} therefore thinks it not for his Maj^{ties} Service and Interest for y^e Council to joyn in a Conference wth y^e Burgessees concerning Suitable Instructions and a Letter to their Agent but y^e Quite Contrary haveing Already Agree'd to an Addres.

Tuesday Sep^r 30th 1701.

By the House of Burgessees

Resolved

That y^e House do not Agree to Any of y^e Proposicons of y^e Council at y^e Conference to y^e Amendm^{ts} of y^e Bill Entitled *An Act for Levying and Arming an Effectual force in time of danger.*

W^m Randolph Cl: H Burgessees

Ordered

That a Copie of y^e S^d Refolve be Sent to y^e Council and y^e their Hon^{rs} be desired to pass y^e bill wth Such Amendments, Only as y^e House hath Agreed to.

W^m Randolph Cl: H Burg:

By the Hon^{ble} Council

Resolved

The Council doe insist upon their Amendm^{ts} Made to y^e Bill Entitled *An Act for Levying and Arming An Effectuall force in time of Danger*, and desire y^e House to Agree thereunto.

The Council Consents to y^e Ord^r of y^e House of Burgessees About y^e Mony to be paid to y^e Proprietors of y^e Land taken Up for y^e City of Williamburgh.

Message from y^e House of Burgessees by M^r Beverley & Others to desire y^e Councils Consent to y^e Refolves of y^e House of Burgessees concerning *Blackwater* and *Pomonkey Neck Lands*.

Refolves of y^e House of Burgessees concerning *Black Water & Pomonkey Neck Lands* Agreed to by y^e Council, and Ordered to be remitted to y^e House;

To his Ex^{cy} Francis Nicholfon Esq^r his Maj^{ties} L^t and Governer Gen^l of Virginia.

May it Please Yo^r Ex^{cy}

Haveing now before us y^e Message of y^e House of Burg: of this day wherein they desire a Conference wth us concerning Suitable Instructions & a Letter to y^e Agent And yo^r Ex^{cy} haveing Caused an Entry to be made on y^e Journall, wherein yo^r Ex^{cy} Signifies y^t Since yo^r Ex^{cy} had Sent to y^e House a Message, to desire them to joyne in a Committee wth y^e Council to Consider what is proper to be writt to y^e Govern^r of *New York* in relation to his Maj^{ties} Lett^r of y^e 19th Jan^{ry} 1701. Concerning y^e Nine hundred pounds and a Quota of Men &c^t w^{ch} Committee they refuseing Yo^r Ex^{cy} therefore thinks it not for his Maj^{ties} Service and Interest, for y^e Council to joyne in a Conference wth the Burgessees, concerning Suitable Instructions, & a Letter to their Agent, but y^e Quite Contrary, the Council haveing Already Agreed to an Addres.

Upon Consideracon whereof wee humbly begg Leave to represent to yo^r Ex^{cy} That we are Already soe farr Engaged in y^e Said Affaire of y^e Agent, wth y^e House of Burgessees that wee have not Only Agreed to y^e Nomination of him and to an Addres to his Most Sacred Maj^{ty} For y^e Admitting him as Such, And to Another Addres to be by him presented to his Maj^{ty} in answer to his Maj^{ties} Letter concerning y^e Affaire of *New York* but Alsoe have promised in Conference to joyne wth the House of Burgessees in drawing Instruction for y^e S^d Agent, & therefore cannot Conceive how we can now reced wthout transgressing y^e Rules of Assemblies and soe hazarding a Breach wth y^e House of Burgessees, w^{ch} wee humbly conceive would be both to his Maj^{ties} Your Ex^{cy}s and y^e Countryes Diservice.

And therefore humbly pray Yo^r Ex^{cy} to Entertaine a favourable Opinion of us if wee proceed to Comply wth our former Refolves & promises to y^e House of Burgessees in that Matter Assureing yo^r Ex^{cy} that wee will take Speciall Care to Admitt of no Instruction to y^e Said Agent, that may in y^e least derogate from his Maj^{ties} Service or Interest, and the due respects wee Owe to yo^r Ex^{cy}s Person & Charter [Character?]

Sep^r y^e 30th 1701.

By Order of y^e Council

Dionisius Wright: Cl: Gen^l Assembly

Wednesday

Wednesday Prym^o October 1701.

Present

W^M BYRD, *Edm^d Jennings, Robert Carter, James Blair Esq^r*

The Refolve of y^e Houfe of Burgeffes of y^e 17th of *Sep^r* laft paft in their
Addrefs to his Ex^y, on y^e back Side of y^e Addrefs of y^e 16th *Sep^r* laft paft
Agreed to by y^e Council and Ordered to be returned to y^e Houfe,

Meffage from y^e Houfe of Burgeffes to y^e Council by L^t Coll *Miles Cary* and Others.

May it please yo^r Hon^{rs}

Wee are Comanded by y^e Houfe to deliver to yo^r Hon^{rs} this Meffage

By the Houfe of Burgeffes

May it Please yo^r Hon^{rs}

Haveing Spent [See J. of H. of B., p. 328.]

By his Ex^{ty}

Upon that part [See J. of H. of B., p. 329.]

Ordered That y^e Clerk of y^e Gen^l Affembly Acq^t y^e Houfe of Burgeffes that his
Ex^{ty} comānds them to fend all y^e Refolves & Ordinances of Affembly that hath paffed
y^e Council & y^e Houfe of Burgeffes this Seffion that they may receive y^e Affent of his
Ex^{ty}:

His Ex^{ty} hath Alfo fent to y^e Houfe of Burgeffes for their perufuall of his Ex^{ty}
Comands, to y^e Hon^{ble} W^m Byrd Esq^r Colonel & Comander in Cheife of all y^e Militia
Horfe & Foot in y^e Counties of *Henrico & Charles Citty* w^{ch} his Ex^{ty} Intends,

Alfoe to fend to y^e fev^l Colonels & Comanders in Cheif of y^e Refpectiue Counties
in this Colony.

By his Ex^{ty}

Ordered

That y^e Clerke of y^e Gen^l Affembly acq^t y^e houfe of Burgeffes that Upon Confidera-
tion of their Addrefs of y^e 29th *Sep^r* laft paft relateing to y^e alterat^s of Counties & Par-
rishes, His Ex^{ty} is abfolutely of y^e Opinion that if fome fpeedy Method be not taken that
Each parrifh may be Able to Maintaine a Miniſter themſelves, it will be a very great
Encouragem^t to Irreligion, Profanes, if not Atheifm, And as to y^e Counties his Ex^{ty}
Suppoſes y^e Small ones will find it an Aggrievance by this Years Counties Levy, & that
y^e Houfe Cannot be Unfencable how, unequall & Unproportionall y^e Counties are in
this Neck betwixt *James River* and *York River*.

By His Ex^{ty}

Ordered

That y^e Clerk of y^e Gen^l Affembly Acq^t the Houfe of Burgeffes, That his Ex^{ty} is
very willing and defireous that y^e Book of Claimes ſhould paſs and Every one to be
fully Sattisfied but in reſpect y^t his Ex^{ty} finds y^t his Meffage of Yeſterday to y^e Houfe
of Burgeffes (wherein he delivers his Opinion y^t y^e Sum of Sixty three pounds *Sterl.*
and y^e Sum of One hundred forty Six pounds Eight Shillings and three pence *Sterl.*
mençoned in y^e S^d Meffage is as much a Country Charge as Any w^{thin} y^e Book of Claimes)
is not yett Anfweared by the Houfe, he cannot in Duty to his Moſt Sacred Maj^{ty} paſs
y^e Levy Act but propoſes this Expedient, that Since it is y^e Opinion of y^e Houfe that y^e
Same is not a Country Charge, & the Opinion of his Ex^{ty} & y^e Council that it is a Country
Charge the mony be now diſpoſited in y^e hands of M^r *Treafurer* and his Maj^{ty} to deter-
mine y^e Poynt in Queſtion w^{ch} Expedient being Agreed to y^e Book of Claimes ſhall
Immediately be returned.

Meffage to his Ex^{ty} by M^r *Harrifon* & Others

May it please yo^r Ex^{ty}

Wee are Comanded by y^e Houfe of Burgeffes to p^rſent to yo^r Ex^{ty} Sev^l refolves &
Ordinances of y^e Houfe for yo^r Ex^{ty} Approbaçon.

Whereupon his Ex^{ty} figned & affented to (*Viz^t*) An Order of y^e Houfe of Burgeffes
of Two hundred Eighty three pounds five Shill^s to y^e Truſtees of y^e Citty of *Williamsburgh*
dated y^e 16th *Sep^r* 1701.

Refolves

Resolves of y^e Houfe concerning allowance to y^e Revifall.

An Ordinance of Affembly for Setleing y^e Bounds of *Ifle of Wight, Surry, & Charles City Counties* on y^e South Side *Black Water Swamp*.

An Ordinance of Affembly, prohibiting y^e Ordinary keepers to Entertaine &c^t y^e Workemen Employed for building y^e Capitoll.

Resolves Concerning *Black Water & Pomonkey Neck Lands*

Order for Tendering y^e Proprietors concerned in y^e Land taken Up for y^e City of *Williamsburgh*.

Meffage to his Ex^{cy} by Cap^t *Harrifon* & Others in Anfwer to his Ex^{cy}s Meffage of this day Upon y^e Book of Claimes, concerning y^e Sixty three Pounds, and One hundred forty Six pounds Eight Shill^s & three pence &c^t

Wednesday October y^e 1st 1701.

By y^e House of Burgeffes

May it please yo^r Ex^{cy}

In Anfwer to yo^r Ex^{cy}s Meffage [See J. of H. of B., p. 330.]

Meffage to y^e Council by Cap^t *Harrifon* & Others

By y^e House of Burgeffes—

May it please yo^r Hon^{rs}

By yo^r [our] Meffage in writeing [See J. of H. of B., p. 330.]

By his Ex^{cy}

Ordered

That y^e Clerk of y^e Gen^l Affembly carry this Meffage in writeing to y^e houle of Burgeffes; that his Ex^{cy} is very well Sattisfied, that he hath Sufficently declared his Minde to y^e Houfe, & difcharged his Duty to his Maj^{ty} in his Meffage to y^e Houfe concerning the Book of Claimes, & Since y^e Houfe refufe to have his Moft Sacred Maj^{ty} to determine the Poynt, his Ex^{cy} muft Stand by it and Cannot pafs y^e Claimes.

By his Ex^{cy}

Ordered.

That y^e Clerk of y^e Gen^l Affembly carry this following Meffage in writeing to y^e houle of Burg:

That upon Confideraçon of that part of their Addrefs of y^e 29th Sep^r laft paft, wherein they fay they humbly hope thofe Methods they have taken to Anfwear his Maj^{ties} Royall Comands by an humble Addrefs Agreed Upon between y^e Hon^{ble} Council of this Colony & their Houfe will be Gracioufly reåd: in y^e Room of a direct compliance in Specie, and y^e refolve of y^e Houfe of y^e 19th Sep^r laft paft in y^e Anfwear to y^e Council Meffage y^e Same day

That Upon Second Confideraçon they Altered their firft intençon of Seperateing y^e Inſtructions from y^e Addrefs & Voted y^e Addrefs ſhould Containe all Neceffary Matters, His Ex^{cy} thereupon Conceives that Affaire is now funiſhed, and hopes the Lawes Agreed Upon by his Maj^{ties} Hon^{ble} Council and themſelves are now ready for his Ex^{cy} to Signe, foe that an End may be put to this Seffion.

By His Ex^{cy}s Comand

Dionifus Wright Cl Gen^l Affem^{bl}

By the Hon^{ble} Council

M^r Speaker & Gentl of y^e Houfe of Burgeffes

His Ex^{cy}s concurrence [See J. of H. of B., p. 330.]

Meffage to y^e Council by M^r *Bland* & Others concerning returning y^e Book of Claimes.

Wednesday Octobr y^e 1st 1701

By y^e House of Burgeffes

In Anfwer to yo^r Hon^{rs} Meffage [See J. of H. of B., p. 331.]

By

By y^e Councill—

Ordered

That y^e Clerk of y^e Gen^l Assembly acq^t y^e Houfe of Burgefles, that their Hon^{rs} defire to fee y^e Originall Book of Claimes y^e laft Seffion of Affembly.

Meffage to y^e Council by L^t Coll *Miles Cary* & Others

Wee are Comanded by y^e Houfe of Burgefles to yo^r Hon^{rs} Meffage, to prefent y^e Book of Claimes of y^e Laft Seffion of Affembly

Meffage to y^e Council by L^t Coll *Miles Cary* & Others

Wee are Comanded by the Houfe of Burgefles to p^refent to yo^r Hon^{rs} y^e Journalls of our Houfe y^e laft Seffion of Affembly whereby it may appear that our Meffage then Upon y^e Book of Claimes was only to defire y^e Concurrence of y^e Council & alfoe the Book of Claimes

By y^e Council

Mr Speaker & Gent: of y^e Houfe of Burg:

In Anfwear to one part [See J. of H. of B., p. 331, foot of page.]

I am alfo Comanded to defire this Houfe to Send to y^e Council the Role of Bills that you have prepared for their Hon^{rs} to P^rufe & Affent to y^e Same.

A Meffage to y^e Council by Mr *Westcomb* & Others Who Brought in a Role of Bills (*Viz*')

A Bill for divideing *King & Queen County*

An A^t continuing Impoficon upon Liquors, Serv^{ts} & Slaves untill y^e 25th December 1703.

An A^t giveing further directions in Building y^e Capitoll and for building a publick prifon.

A Bill Entituled an A^t for Quieting y^e Poffeffions of Sev^l Perfons Seated w^{thin} y^e Bounds of y^e Land laid out for y^e Pomonky Indians.

All w^{ch} were compared wth y^e originalls & returned to y^e Houfe

Meffage from y^e Burgefles to y^e Council by Mr *Beverly* and Others

May it please yo^r Hon^{rs}

Wee are Ordered by y^e Houfe to p^refent to yo^r Hon^{rs} and Order of y^e Houfe to Mr *Treasurer*, to pay y^e Sev^l Allowances made this Seffion of Affembly, to y^e Members Affiftance & Clerk of y^e Comittee for Revifall of y^e Lawes & y^e Allowances Made to *John Revington*, for his attendance Upon y^e Said Comittee out of y^e Monyes in his hands Upon y^e Impoficon Upon Liquors.

Affented to by y^e Council

Alfo an Addrefs to his moft Sacred Maj^{ties} Concerning y^e Affaires of *New York* Compared & Agreed to and Signed by y^e Council.

Addrefs to his Ex^{ty} to lay Open *Blackwater & Pomonkey Neck Lands* Agreed to by y^e Council and his Ex^{ty} Reffers y^e time for laying y^e Same Open till a fuller Council

Addrefs to y^e King About y^e Agent Agreed to and Signed by y^e Council

Ordered—to return all y^e Above Bills and Addreffes to the Houfe

His Ex^{ty} Propofed to y^e Council whether there is any thing further to be by his Ex^{ty} Offered to y^e Houfe of Burgefles, concerning his Maj^{ties} Lett^r relateing to y^e affaires of *N. York* or any thing relateing to y^e Safety & Security of this his Maj^{ties} Colony.

Upon Confideraçon whereof y^e Council are of Opinion that his Ex^{ty} hath done w^t is proper & that it is not for his Maj^{ties} Service to Urge it any further at this time.

His Ex^{ty} Asking of y^e Council, to what time the Affembly may be prorogued, proprofes y^e 12th November Next to w^{ch} y^e Council Agrees.

By his Ex^{ty}

Ordered

That y^e Clerke of y^e Gen^l Assembly Acq^t y^e Houfe of Burgefles, that if they have any thing further to Offer to his Ex^{ty} for his Maj^{ties} Service, they doe now doe it, if not, then his Ex^{ty} in his Maj^{ties} Name Comand y^e Whole Houfe Imediately to Attend upon his

his Ex^{ty} in Councill in y^e Council Chamber and to bring y^e Bills & Roles of Acts they have ready prepared for his Ex^{ty} to Assent to and Sign

About Eleaven a Clock at night

Message from y^e Burgeffes by M^r *Beverley* & Others to his Ex^{ty}

May it please your Ex^{ty}

Wee are Comanded by y^e Houfe to Acq^t your Ex^{ty} y^t y^e Houfe haveing Buiffines to doe for y^e Countries Service w^{ch} they cannot funish too Night, prays yo^r Ex^{ty}s Continueance till to Morrow.

Thursday y^e 2^d October 1701.

Present

HIS Ex^{ty}, W^m Byrd, Edm^d Jennings, Rob^t Carter, James Blair Esq^r

A Message from y^e Houfe of Burgeffes to his Ex^{ty} by M^r *Beverly* and Others

By the House of Burgeffes

May it please yo^r Ex^{ty}

In Answer to yo^r Ex^{ty}s Messages [See J. of H. of B., p. 333, line 8.]

A Message to y^e Council from y^e Houfe of Burgeffes by M^r *Beverly* and Others

Thursday 8th 2^d 1701.

By y^e House of Burgeffes

May it please yo^r Hon^{rs}

Haveing desired [See J. of H. of B., p. 333, lines 3-6.]

Ordered That y^e Clerk of y^e Gen^l Assembly Carry this Message to y^e Houfe of Burgeffes

By his Ex^{ty}

M^r Speaker & Gent^l of y^e House of Burgeffes

In Answer to yo^r Message [See J. of H. of B., pp. 333-4.]

The Houfe of Burgeffes Attending His Ex^{ty} was pleased to Signe these following Acts *Viz*

An Act Continueing Impositions Upon Liquors Servants & Slaves untill y^e 25th Decemb^r 1703.

An Act giveing further directions in building y^e Cappitol and for building a Publick Prison

An Act for divideing King & Queen County

But

An Act for Quieting y^e possesⁿ of sev^l persons Seated wthin y^e Bounds of y^e Land laid out for y^e Pomonkey Indians being Also presented.

His Ex^{ty} Expressed himse^{lf} thus

Gent^l

I formerly hinted unto you that I could not pass This Act, & must now Again tell you, that I am very Sorry that any Act consented to by his Maj^{ties} Hon^{ble} Council Should not pass, but I find this so very Contrary to y^e Articles of peace made wth y^e Indians, to all y^e Rules Orders & proceedings of the Assemblies here, and more peticularly & Expressly Contrary to y^e Instructions I rec^d: from y^e R^t Hon^{ble} y^e L^{ds} Comi^{ss}oners of Trade & Plantacon Relateing to that Subject, and to w^{ch} I alsoe sent & Laid before yo^r Houfe that I cannot Assent to it.

Then y^e Sev^l Orders to y^e Colonells & Comnders in Cheif of y^e Respective Counties, in this Colony to New frame & Model y^e Militia wth a Specimen directing how to returne y^e Muster Roll, lying Upon y^e Table—

His Ex^{ty} delivered them as followeth.

Princess Anne To M^r *Mofely*

Norfolk To M^r *Butt*

Nanzemond

<i>Nanzemond</i>	To Cap ^t <i>Miller</i> , Cap ^t <i>Dan^u Sullivant</i>
<i>Ifle-Wight</i>	To M ^r <i>Chiles</i>
<i>Surry</i>	To Cap ^t <i>Nath^u Harrifon</i>
<i>Charles City</i> }	To y ^e Hon ^{ble} <i>W^m Byrd Esq^r</i>
<i>Henrico</i> }	
<i>New Kent</i>	To M ^r <i>Gideon Macon</i>
<i>James City</i>	To Coll: <i>Ph^u Ludwell</i>
<i>York County</i>	Sent To y ^e Hon ^{ble} <i>Edm^d Jenings Esq^r</i>
<i>Warwick</i>	To L ^t Coll: <i>Miles Cary</i>
<i>Eliz^a City</i>	To Cap ^t <i>W^m Armeftead</i>
<i>King & Queen</i>	To L ^t Coll: <i>W^m Gough</i>
<i>Glocefter</i>	To Maj ^r <i>Peter Beverly</i>
<i>Middle Sex</i>	To M ^r <i>Edwin Thacker</i>
<i>Effex</i>	To M ^r <i>Edmonfon</i>
<i>Richmond</i>	To M ^r <i>Taylor</i>
<i>Stafford</i>	To M ^r <i>Westcomb</i>
<i>Westmoreland</i>	To M ^r <i>Westcomb</i>
<i>Northumberland</i> }	To y ^e Hon ^{ble} <i>Rob^t Carter Esq^r</i>
<i>Lancaster</i> }	
<i>Northampton</i> }	To M ^r <i>Tully Robbinfon</i>
<i>Accomack</i> }	

The Comiſion to *John Lightfoot Esq^r* is thus—Coll: & Comander in Cheif of all y^e Militia Horſe and Foot in y^e County of *New Kent* (except y^t Troop of Horſe Comanded by L^t Coll: *W^m Baſſett*.)

Virg^a ſs^t

In his Maj^{ties} Name I will & require you *W^m Byrd Esq^r* One of his Maj^{ties} Hon^{ble} Council of this his Maj^{ties} moſt Ancient and great Colony & Dominion of *Virg^a* and Coll and Comand^r in Cheif of all the Militia horſe and foot in y^e Counties of *Henrico* and *Charles City* that ſo ſoon as poſſable you cauſe a Gen^l Muſt^r to be made of y^m and if you then find that all men who ought by Law to be liſted are not ſo that imediately cauſe them to be ſoe except x^{an} Servants who are not to appeare in armes for their own Maſters or any Other.

The Militia und^r y^e Comand are to be Horſe and Dragoons and as few foot as poſſable each Troop of Horſe to Conſiſt of a Cap^t a Liev^t Cornet and a Quart^r Maſt^r Three Corporalls Thirty Troopers and a Trumpet^r each Troop of Dragoons w^{ch} are to be armed as foot to Conſiſt of a Cap^t Liev^t Cornet Three Serjants Three Corporalls forty Dragoons and Two Drummers, a Foot Company to Conſiſt of a Cap^t Liev^t Enſigne, and fity private Sentinalls and Two Drummers, Theſe Numbers in each Troops and Companys are to be muſtered where it is practicable If you find that there will be more Troopes & Companies (w^{ch} I ſopose there will) then are at Preſent in y^r Militia I doe hereby in his Maj^{ties} Name Impower you to appoint Officers for each Troop & Companie w^{ch} Offic^{rs} are to take Charge of y^e ſ^d Troopes & Companies but you are forthwith to ſend mee the Names of y^e ſ^d Offic^{rs} that ſoe they may have Suitable Comiſſions from m^{ee}.

And you are to take Care that y^e ſaid Militia und^r y^e Comand be provided with armes and Amuniſion according to Law (and to acq^t them that his Maj^{ties} Ship y^e *Lincoln* and *Shoreham* deſignes (God Willing) from *Kiquotan* to *England* about y^e Middle of this Month) and that they who are not ſoe be profecuted according to Law. As ſoon as you have formed y^e Militia und^r y^e Comand into Such Troops and Companies you are to ſend mee Three Liſts of them with Collums expreſſing how they are aremed, y^e Liſts muſt be Signed by y^eſelfe and the Comiſſion Officers.

What

What Charges you are at in getting every Person Lifted & for writeing y^e f^d Lifts shall be allowed you in y^e Acc^{ts} you are not to faile of Complying wth thefe my Comands Given und^r my hand and y^e Seale of this his Maj^{ties} Colony at his Maj^{ties} Royall College of W^m & Mary this 1st day of O^{ctob}r 1701 in y^e Thirteenth Yeare of his Maj^{ties} Reigne.

ffr. Nicholson

To y^e Hon^{ble} W^m Byrd Esq^r Coll & Comand^r in Chief of all y^e Militia Horfe and Foot in y^e Counties of Henrico and Charles City.

The Specimen of y^e Troops & Company (*viz*)

Cap^t A: B Troop of Horfe

Offic ^{rs} Names	Mens Name	fwords	Piftolls	Carabin	Powd ^r	Shot
Cap ^t A: B Troop of Dragoons						
Offic ^{rs} Names	Mens Names	Swords	Mufq ^s	Powd ^r	Shot	
Cap A: B: Corn ^p a of Foot						
Offic ^{rs} names	Mens Names	fwords	Mufq ^t	powd ^r	Shot	

2^d O^{ctob}r 1701

Aft^r w^{ch} his Ex^{cy} Expreffed himfelfe thus

Mr Speaker and Gent. of y^e House of Burg.

I am forry y^e proceedings of this Affembly hath been fo flack and Burthenfome to y^e Country as it is like to be by Reason of y^e long Seffion that there has been fuch a bad Succes in what I laid before you. Efppecially y^t Concerning his Maj^{ties} Royall Comands for giving affiftance of men & money to his Maj^{ties} Province of *New York*.

Gent. I hope you will feriously Confider the evill and fatall Confequences that may attend it as I before laid downe & that therefore at y^r returne to y^r fevⁿ Counties you will in all things Endeav^r his Maj^{ties} Peace & Tranquility of this Country and not Publifh or make known y^r refusall or denyall to Comply wth his Maj^{ties} aforefaid Royall Comands But if you doe I hope you will be foe Juft alfo As to Publifh what I formerly Offered vpon that Occafion for.

Gent. you muft know I hold myfelfe fo tyed in Confcience and duty to Obey y^e Comands of my Sov^r y^e *new York* fhall never want Money vpon that Occafion as long as I have a penny nor Men as I have y^e Hon^r to weare his Maj^{ties} Royall Comiffion in this Governm^t

Gent. I find by y^r Refolve y^t you will give me time enough in Cafe of an Alarm Invaſion or Infurrection to raife forces Repell or Subdue y^m but I am affraid you will find y^e fad fatall and dangerous confequence of not having an Armed force in readynes And I hope I may have an Oppertunity to fend for you according to y^r form^r Refolves to venture y^r lifes and fortunes for y^e fake of y^r Religion his Maj^{ties} Intereft and defence of the Country and fhall have the Hon^r to fight in y^e Head of you.

Gent.

Gent. I thank you for y^t Clause in y^r Address of the 29th 7^{br} wherein you say y^t y^e Bill for Levying and Armeing an effectuall force in time of danger you Conceive is Cleare of any Clauses that can be Confrued to be repugnant to his Maj^{ties} Comands to mee or y^t Royall authority vested in his Maj^{tie} which were it in y^r Power you have hearts too Loyall to dispute or seek y^e Diminution of.

As also for y^t Clause in y^r Message to his Maj^{ties} Hon^{ble} Councill of 7^{br} 29th where you say y^t by y^e words of y^t Act before mençoned there cannot be made a Question in his Maj^{ties} Prerogative of makeing use of his men here for y^e Defence of his Plantacons where it shall be thought necessary w^{ch} I take *Gentlemen* to be a positive alteraçon of his Maj^{ties} Authority in y^t Cafe.

And thô wee are not now come to such a happy Conclusion as might a been wished & as indeed his Maj^{ties} Royall Comands & Interest Safety and Securety of this Country requires, yet I hope time and second thoughts may effect it at another meeting.

And now nothing more remaines but That I prorogue you and you are hereby prorogued untill y^e 12th of *Novemb^r* next.

Dionifus Wright Cl Gen^l Assembly

ATT A

GENERALL ASSEMBLY

begun at his Maj^{ties} Royall Colledge of *William* and *Mary* adjoyning to the City of *Williamsburgh* the 15th day of *Decembr*. 1700 and thence continued by Severall prorogacons Untill *Wenesday* the 13th day of *May* 1702 in the fortieth year of our Sovereigne Lord *William* y^e 3^d of *England Scotland france* and *Ireland* King Defender of the faith &^{ca}.

Att a Generall Affsembly begun at his Maj^{ties} Royall Colledge of *William* and *Mary* adjoyning to the City of *Williamsburgh* the 15th day of *Decemb^r* 1700 and thence continued by Severall prorogacons Untill *Wenesday* the 13th day of *May* 1702 in the fortieth year of our Sovereigne Lord *William* y^e 3^d of *England Scotland france* and *Ireland* King Defender of the faith &^{ca}

[*May* the 13th, 1702.]

Present

HIS Excellcy *Francis Nicholson* Esq^r his Maj^{ty} Liev^t and Govern^r Gen^l of *Virginia*—*Edmund Jennings*, *John Lightfoot*, *Matthew Page* Esq^r

His Excellcy having been pleased by his Comission und^r the Seale of this Colony to appoint *W^m Robertson* Clk of the Gen^l Affsembly he did accordingly take the Oathes appointed by Act of Parliament to be taken instead of the Oathes of Sup^macy and Allegiance and Subscribed the Test and Affociation appointed by Act of Parliam^t and thereafter took the Oath of Clk of the Gen^l Affsembly and was ordered to attend accordingly

A Rep^{re}nta^{co}n from the Committee appointed to revise the Lawes being read ordered that the Same be referred to the Confidera^{co}n of the R^{ty} Wor^{sh}ps^{le} the House of Burgeffes

Ordered that the Clk of the Gen^l Affsembly doe goe to the house of Burgeff^s and acquaint them that his Excellcy commands their imediate attendance upon his Excellcy in Councill in the Council chamber.

M^r *Speaker* wth the house attending his Excellcy Expressed himself thus—

Gentlemen

I herewth Give [See J. of H. of B., 1695-1702, p. 337.]

The Council Adjourn'd till to morrow morning Eight a Clock—

Thursday May the 14th 1702

Present

HIS Excellcy *Francis Nicholson* Esq^r &c^s, *Edmund Jennings*, *John Lightfoot*, *Matthew Page*, *James Blair* Esq^{rs}

Ordered that the Clk of the Gen^l Affsembly do carry the following message to the House of Burgeffes

By his Excellcy

M^r *Speaker* and Gent^{rs} of the house of Burgeff^s

I fend you [See J. of H. of B., p. 338.]

A Message from the house of Burgeff^s to his Excellcy by M^r *Corbin* and others

May it Please yo^r Excellcy

Wee are commanded by the house of Burgeff^s to pray yo^r Excellcy that a new writt may issue for the Election of a Burgeffs for *King* and *Queen* County in the room of M^r *W^m Gough* Deceased a new writt for election of a Burgeffs for *New Kent* County in the roome of M^r *Gideon Ma^on* Deceased a writt for Election of a Burgeffs for *princes Ann* County in the room of M^r *John Thoroughgood* De^ced and a writt for elec^{co}n of two Burgeff^s for *King William* County—

Adjourn'd till afternoone

Post

Post Merediem

Present

HIS Excellcy, W^m Byrd, Edm^d Jennings, John Lightfoot Esq^r

The Council met & being informed that the House of Burgeffs are
 adjourned for this night the Council also Adjourned till tomorrow morning
 8 a Clock

Fryday May the 15th 1702

Present

HIS Excellcy, W^m Byrd, Edmund Jennings, John Lightfoot, Matthew Page, James Blair Esq^r

Ordered that the Clerk of the Gen^l Affembly doe carry this following
 Message to the house of Burgeffs

*By his Excellcy and the hon^{ble} Council**Mr Speaker and Gent^s of the house of Burgeffes*

Whereas by an Act [See J. of H. of B., pp. 338-9.]

A motion being made that care be taken to prevent any inconveniences that may
 happen upon the death of the King or Queen for the time being and before Such death
 Can be Publickly notified here and also for continuing the Gen^l Affembly that shall
 then happen to be Sitting notwithstanding Such death the hon^{ble} Council tooke the
 Same immediately into consideration and after sometime spent therein the hon^{ble} W^m
 Byrd and Matthew Page Esq^rs and Mr Comissary Blair were appted a Committee to
 prepare some propositions to be laid before the house of Burgeffes on that Subject w^{ch}
 being by them accordingly prepared were read and agreed to by his Excellcy and the
 hon^{ble} Council

Ordered

That the Clerk of the Gen^l Affembly do carry this following Message to the house
 of Burgeffes—

*By his Excellcy and the hon^{ble} Council—**Mr Speaker & Gent. of the house of Burgeffes*

Whereas by reason [See J. of H. of B., p. 340.]

Upon reading the Grievances of *Charles City County**Ordered*

That the same be referred to the consideration of the house of Burgeffes

A Message from the house of Burgeffes to his Excellcy by Mr W^m Leigh and others*By the house of Burgeffes**May it please yo^r Excellency*

In answer [See J. of H. of B., pp. 340-1.]

Also a message to his Excellcy and the Hon^{ble} Council from the house of Burgeffes
 by the Said Mr W^m Leigh and others—

May it please yo^r Excellency and honours

The house of Burgeffes on consideration of the propositions sent by yo^r Excellcy and
 hon^{rs} this day concerning the places for the Ships to ride at have come to these following
 Resolves

*May the 15th 1702**By the house of Burgeffes**Resolved* that it is the Opinion [See J. of H. of B., pp. 339-40.]

Then the Council Adjourned till to morrow morning 8 a Clock—

Saturday

Saturday May the 16th 1702

Present

HIS Excellency, *William Byrd, Edmund Jennings, John Lightfoot, Matthew Page, & James Blair Esq^r*

Upon reading of the Petition of *M^r Chicheley Corbin Thacker* Clerk of the Secretarys Office for his usuall Allowance for publick Services

Ordered

That the Same be referred to the confideracon of the house of Burgeffs

Upon reading the petition of the Said *M^r Chicheley Corbin Thacker* Setting forth that by the 137th Act of Affembly in the printed Laws amongst other fees therein sett downe 50^{ll} of Tob^o is allowed for every Military Commiffion that fhall be iffued out of the Said Office And whereas the Said fee has been heretofore charged to the perfon to whom the Commiffion was granted and by them refused to be paid and there being lately iffued out 409 Military Commiffions Therefore prayed that itt may be declared by whom the faid fee ought to be paid that he may rightly charge itt or that the Gen^{ll} Affembly would please to give Such Allowance as they think just—

Ordered

That the same be referred to the Confideracon of the house of Burgeffes

Ordered

That the Clerk of the Gen^{ll} Affembly carry this following Meffage to the house of Burgeffes—

By his Excelly & the hon^{ble} Council—

The house of Burgeffes having [See J. of H. of B., pp. 342-3.]

Ordered

That the Clerk of the Generall Affembly do carry to the house of Burgeffes the Grievances of *Charles City* County the petition of *M^r Chicheley Corbin Thacker* for his usual allowance for publick Services, and the petition of the Said *M^r Chicheley Corbin Thacker* praying allowance for writing Several military Commiffions All which are by the hon^{ble} Council referred to the Confideracon of the house of Burgeffes

Then the Council adjourned till *monday* morning 8 a Clock

Monday May the 18th

Present

HIS Excelly, *W^m Byrd, Edmund Jennings, Matthew Page, Benj^s Harrifon, James Blair Esq^r*

Ordered That the Clerk of the Gen^{ll} Affembly do carry to the house of Burgeffes this following Meffage

By his Excelly and the honorable Council—

M^r Speaker & Gent of the house of Burgeffes

Whereas great complaints [See J. of H. of B., p. 344-345.]

[The following paragraph of the meffage, however, was omitted by the clerk of the House of Burgeffes:]

Captain *Burford* Comand^r of the *Elizabeth & Mary* of *London* having loft his Ship at Sea laft winter the men were brought by Captain *West* were Suffered to difperfe themselves whereby they Escaped out of the Country and the Captain of his Maj^{ty} Ship loft that opportunity to make up his Complement of men w^{ch} now he muft be obliged to do out of the Merchants Ships lying here—

John Lightfoot Esq^r P^rsent

Ordered

That the Clerk of the Generall Affembly do carry to the house of Burgeffes the following Meffage

By his Excelly and the honorable Council—

M^r Speaker and Gent of the house of Burgeffes

His Excelly and the honorable Council [See J. of H. of B., p. 345.]

A Message to the Council from the Burgeffes by Mr *Miles Cary* and others who brought an Ingrossed Bill Entituled a Bill for the Continuing meeting and Sitting of Gen^l Affemblies in case of the Death or demise of his Maj^{ty} his h^s and Successors to which they desire the Concurrence of the Council and the Same was read a first time and ordered a Second reading

Then the Council adjourned till to morrow morning Eight a Clock

Tuesday May the 19th 1702

Present

HIS Excellency, *W^m Byrd, Edmund Jennings, John Lightfoot, Matthew Page, Benjamin Harrison, James Blair Esq^s*

An Ingrossed Bill from the Burgeffes Intituled a bill for the Continuing meeting and Sitting of Generall Aff^{bl}^s in Case of the death or demise of his Maj^{ty} his heirs & Successors read a Second time and ordered a third hearing

The Council Adjourn'd for two hours

THE Council being met as before

William Randolph Junior appointed by the house of Burgeffes to be Clerk of the Committee for proposi^{ti}ons and Grievances praying that he might be Sworne and Admitted into the Said Office—

Ordered

That a Commi^{ss}ion be p^rpared impowering *William Byrd Ed^mund Jennings* and *John Lightfoot Esq^s* or any two of them to Administer to the Said *W^m Randolph* the Oathes appointed by Act of Parliament to be taken instead of the Oathes of Allegiance and Sup^rmacy the Test & Affocia^{ti}on and the Oath of Clk of a Committee—

Pursuant to which Commi^{ss}ion the Said *W^m Byrd Edmund Jennings* and *John Lightfoot Esq^s* having administred the above Said Oathes to the aforefaid *W^m Randolph* Junior he thereafter Subscribed the Test and Affociation and the Same was certified as usual—

An Engrossed Bill from the Burgeffes Entituled a Bill for the Continueing meeting and Sitting of General Affemblies in Case of the Death or demise of his Maj^{ty} his heirs and Successors was read a third time and agreed to by the Council with Several Amendments

Resolved

That the Bill with the Amendments do pass

Ordered

That the Clerk of the Generall Affemby do carry the Said Bill to the house of Burgeffes and acquaint them that the Council have agreed thereto with the Amendments—

A Message from the house of Burgeffes to the Council by Mr *Miles Cary* and others that the house have agreed to the Amendments proposed by their Honours to the Bill for the Continuing meeting and Sitting of Gen^l Aff^{bl}^s in Case of the Death or Demise of his Majesty his heirs and Successors and have inserted them in the Bill—

The Peti^{ti}on of *Henry Lownd* of *Henrico* County praying allowance for a Negroe Slave of his tryed and Condemned and Executed last *October* for a rape read and referred to the Confidera^{ti}on of the house of Burgeffes—

The Peti^{ti}on of *Thomas Blunt* Indian Interp^rter on the South Side of *James* River praying that his usuall Sallary from *October* 1700 may be Levyed for him read and referred to the Confidera^{ti}on of the house of Burgeffes—

His

His Excellency being informed that the Bill for continuing meeting and Sitting of Generall Affsemblies in Case of the death or Demise of his Maj^{ty} his heirs and Successors was inrolled and that the Burgeffes were ready to waite on his Excellency for his Affent

Ordered

That the Clerk of the General Affsembly do goe to the Houfe of Burgeffes and Command their Imeidiate attendance upon his Excellency in Council in the Council Chamber and bring with them what Bills they have ready for his Affent

M^r *Speaker* with the house of Burgeffes attending his Excellency in the Council Chamber M^r *Speaker* addrested himfelfe to his Excellency as followes—

May itt please yo^r Excellency

In Obedience to your Excellency's Commands—

Wee his Maj^{ty}'s most Loyal and Dutiful Subjects the house of Burgeffes doe now attend your Excellency with a Bill Affented to by the Honourable Council and our Selves Entitled *an Act for the continuing meeting and Sitting of General Affsemblies in Case of the Death or Demise of his Maj^{ty} his heirs and Successors* in order to receive that stamp which yet remains to make itt effectuell the p^amble of which Bill Setting forth the necessity of Such an Act wee are well Affured yo^r Excellency's zeale for the Service of our Sovereigne & good of this Country will be a Sufficent motive for yo^r giving itt the Sanction of yo^r Affent—

Then his Excellency Signed the Said Bill and afterwards M^r *Speaker* also and the Said Bill being delivered back to the Speaker his Excellency was pleased to Express himfelfe thus

M^r *Speaker & Gent of the house of Burgeffes*

I am very glad you have Soone passed this Bill and I hope in god wee shall never have any other occasion for it then the p^resent

Gentlemen

I recommend to you to proceed with all possible Speed upon those weighty matters that now lye before you because I Expect the men of warr in Dayly and by them to receive Several orders from *England* w^{ch} may hereafter take up much of your time

Then the Council Adjourned till to morrow morning Eight a Clock

Wednesday May the 20th 1702

Present

HIS Excellency, W^m Byrd, John Lightfoot, Matthew Page, Benjamin Harrison & James Blair Esq^{rs}

Ordered

That the Clerk of the General Affsembly do carry to the house of Burgeffes this following Message

By his Excellency and the honorable Council

M^r *Speaker and Gent of the house of Burgeffes*

Upon representation [See J. of H. of B., p. 349.]

Ordered that the Clerk of the General Affsembly do carry to the house of Burgeffes the following Message

By his Excellency and the Honourable Council

M^r *Speaker and Gent of the house of Burgeffes—*

Whereas some of the [See J. of H. of B., p. 349.]

Ordered

That the Clerk of the General Affsembly doe carry this following message to the house of Burgeffes—

By his Excellency

M^r *Speaker and Gent of the house of Burgeffes—*

His Excellency having [See J. of H. of B., p. 348.]

Ordered

Ordered That the Clerk of the General Affembly carry to the house of Burgeffes this following message—

By his Excellcy

M^r Speaker and Gent of the house of Burgeffes

Whereas the Act [See J. of H. of B., p. 348.]

The Petition of Captain *Tho Lovel* Comm^r of the Ship *Loyal Charles* of *Belfast* complaining against *Peter Cartwright* an Ordinary Keeper at *Elizabeth* Towne for harbouring and Entertaining his Seamen and praying redress therein

Also a letter from Captain *James Moodie* Commander of his Maj^{ty}s Ship the *Southampton* complaining that one of his men is detain'd by one *Smith* a Shoemaker in *Isle of Wight* or *Surry* Counties being severally read ordered that the Same be referred to the Consideration of the house of Burgeffes &

Ordered

That the Clerk of the General Affembly carry this following message to the house of Burgeffes.

By his Excellcy and the hono^{ble} Council—

M^r Speaker and G^t of the house of Burgeffes

There being some proposals made this Session of an Act for [See J. of H. of B., p. 349.]

The Petition of Several inhabitants of the County of *Norfolk* setting forth Several Grievances of the Said Inhabitants

Also a Petition of M^r *Rud* Minister of *Norfolk* with two orders of the Vestry of *Elizabeth* River Parish and an Account of the charge of the Burgeffes of the said Co^{ty} being presented to his Excellcy and the honourable Council and read—

Ordered

That the same be referred to the consideration of the house of Burgeffes and that the Clerk of the Gen^l Affembly immediately carry the Same to the house.

Then the Council adjourned till to morrow morning Eight a Clock.

Thursday May 21st 1702

Present

HIS Excellency, *William Byrd, Edmund Jennings, John Lightfoot, Matthew Page, Benjⁿ Harrison, John Custis, James Blaire Esq^{rs}*

A Message to his Excellcy by M^r *W^m Leigh* and others that the house of Burgeffes had commanded them to returne his Excellcy M^r Treasurer *Carters* letter and the order of the house thereupon as follows.

May the 21st 1702

By the house of Burgeffs

A Letter from M^r Treasurer *Carter* [See J. of H. of B., p. 351.]

A Message to his Excellcy from the house of Burgeffs by M^r *Robert Beverley* and others who brought the following Resolve

May the 20th 1702

By the house of Burgeffes

Resolved

That it is the Opinion of this house that itt is not convenient to proceed upon the Revivall of the Lawes this Session

By Order of the house of Burgeffes

Peter Beverley Speaker

As also the Said M^r *Beverley* &c^a presented to his Excellcy the following Resolve

May the 20th 1702

By the house of Burgeffes

His Excellcys message of this day was read wherein his Excellcy is pleased to propose that such a number of the house of Burgeffs as shall be thought convenient be joyned
with

with the Committee of the Council (already) appointed to confider of the moſt proper method for rendring the Act for Cohabitaçon more effectual or in ſome other way for ſecureing the frontiers and a debate ariſeing

The Queſtion was put

That a Committee be appointed to joine with a Comittee of the Council to confider of the moſt proper methods for rendring the Acts for Cohabitaçons more Effectual or on ſome other way for Seating the frontiers—

And itt paſſed in the Negative

Teſt W^m Randolph Clerk of the hhs of Burgeſſes—

Ordered that the Clerk of the General Affembly carry the following Meſſage to the hh^s of Burgeſſes—

By his Excellly and the hon^{ble} Council—

M^r Speaker & Gent of the hh^s of Burgeſſes.

His Excellly and the hon^{ble} Council . . . [See J. of H. of B., p. 353.]

The Council took into confideracon the petiçon of *Hill Drummond* of *Accomack* County complaining that one *John Pope* of *Somerſett* County in *Maryland* had Entred upon a plantaçon of his for which he has pattent and payes Quitt Rents In *Virginia* and turned him out of poſſeſſion as alſoe Some other papers preſented to the Council concerning Some diſputes betweene the Inhabitants of this Colony on the Eaſterne Shore and thoſe of *Maryland* about the bounds

Ordered

That the Same be referred to the Confideraçon of the houſe of Burgeſſes

Then the Council adjourned till tomorrow morning Seven a Clock—

Fryday May the 22^d 1702

Preſent

HIS Excellency, *W^m Byrd, Edmund Jennings, John Lightfoot, Matthew Page, Benj^a Harrison, John Cuſtis, James Blare Eſq^r*

His Excellly and the hon^{ble} Council took into confideraçon the State and Condiçon of the Militia of this Country as allſoe what was moſt proper to put the ſame into a poſture of Defence and after ſome time Spent therein

Ordered

That the Clerk of the General Affembly carry the following Meſſage to the houſe of Burgeſſes

By his Excellly and the hon^{ble} Council

M^r Speaker and Gent of the hh^s of Burgeſſes

When his Excellency called . . . [See J. of H. of B., p. 354.]

Memorandum

His Excellency herewith Sends the votes of the houſe of Commons in *England* whereby itt appeares they have provided every thing as if there were An Actual Warr.

Ordered

That the Clerk of the General Affembly carry to the houſe of Burgeſſes the following Meſſage

By his Excellly And the honorable Council—

M^r Speaker and Gent of the houſe of Burgeſſes:

Whereas ſome diſputes . . . [See J. of H. of B., pp. 354-5.]

The petiçon of *John Gledwin* praying to be Admitted poſt or Meſſinger for carrying Expreſſes or Letters from *Potomack* to *Williamsburgh* alſoe—

The Petiçon of Several of the Inhabitants of the Southerne Branch of *Norfolke* County praying that a roade made by them betweene the great Bridge of the Southerne Branch to the Northweſt River may be declared to continue as itt was firſt laid out and a Petiçon of Liev^t Collonel *John Catlett* praying Allowance for writing three faire Copies of the laſt Lifts of the Militia

Were

Were Severally read and referred to the confideraçon of the house of Burgeffes—

His Excellency haveing Signed a Commiffion Impowering *Edmund Jennings John Lightfoot* and *Matthew Page* Esq^{rs} or any two of them to Adminifter the Oathes Appointed by Act of Parliament to be taken inftead of the Oathes of Allegiance and Supremacy the Teft Affociation and Oath of a Burgefs to Every new Elected Member of this prefent Gen^l Affembly

Purfuant thereunto the Said *Edmund Jennings* and *John Lightfoot* Esq^{rs} went out to Adminifter the Said Oathes &^{ca} to *William Baffett* Gent Elected a Burgefs for *New Kent* County. and being returned reported that they had accordingly tendered the Same to him the Said *W^m Baffett* and that he answered as followeth (*viz*^t) *I have already in Several qualifications testified Allegiance to King W^{ms} Government by taking the oathes &c^a but I am now informed and fully Satisfyed he is dead and therefore I think my Selfe Obliged both in prudence and confcience to decline taking the Oathes to him at this time* w^{ch} they had certified to the house of Burgeffes

Saturday May the 23^d 1702

Prefent

HIS Excellency, *Edmund Jennings, John Lightfoot, Matthew Page, Benjamin Harrison, John Custis, James Blair* Esq^{rs}

The Peticon of *John Walter* late Sheriff of *King* and *Queene* County praying allowance for Executing one *Darby Colnon* by Order of Laft October General Court and alfoe

An Affignment of *Dyonifus Wright* late Clerke of the General Affembly to *George Harvey* for 1500^l of Tobacco to be paid out of the 11000^ls of Tobacco. allowed him laft Seffions of Affembly were read and

Ordered

That the Same be referred to the Houfe of Burgeffes

A Meffage from the house of Burgeffes to the Council by Mr *Nathaniel Harrison* and others who brought an Ordinance of Affembly for Settling the Dividing Lines between the Counties of *Isle of Wight Surry* and *Charles City* and *Nanfmond* Counties on the South Side the *Black Water* Swamp to which they desire the Councils Concurrence—

And the faid Ordinance was read and affented to by y^e Council wth fome Amendments

Ordered

That the Clerk of the General Affembly carry the Said Ordinance of Affembly to the house of Burgeffes and acquaint them that the Council have Affented thereto wth the faid Amendments

A meffage to the Council by Mr *Nathaniel Harrison* and others that they were commanded by the house of Burgeffes to returne the Ordinance of Affembly for Settling the dividing lines between the Counties of *Isle of Wight Surry* and *Charles City* and *Nanfmond* and to acquaint their Honours that the house had agreed to the Amendments propofed by them to the Said Ordinance and had incerted them therein

Ordered

That the Clerk of the General Affembly Endorfe upon the Said Ordinance that the Same is agreed to by the Council

Then the Council adjourned till *Munday* two a clock in the afternoon

Munday May the 25th 1702

THERE being no more of the Council come to Town but *Jn^o Custis* Esq^r & Mr Commiffary *Blair* His Excellency adjourned the Council till tomorrow morning

Tuesday

Tuesday May the 26th 1702

Present

HIS Excellency, *Edmund Jennings, John Lightfoot, Matthew Page, John Custis and James Blair Esq^{rs}*
Ordered

That the Clerk of the General Assembly do carry this following Message to the house of Burgeffes.

By his Excellency and the hon^{ble} Council

M^r Speaker and Gent of the house of Burgeffes

Whereas this yeares [See J. of H. of B., p. 362.]

A Message to his Excellency and Council by M^r W^m Leigh and others

May it please yo^r Excellency and Honours

Wee are Commanded by the house of Burgeffes to Deliver the Resolves of the house to Such of your Excellency & Hon^{rs} proposi^tions as are not already answered

Which the Said M^r Leigh Delivered in at the Table

Where the Same were read as followes

By the house of Burgeffes

May it Please your Excellency and Honours

Wee his Maj^{ty} [See J. of H. of B., pp. 360-2.]

Alfoe a message to the Council by the Said M^r W^m Leigh and others whoe brought an Engrossed Bill from the house of Burgeffes Entituled a Bill to p^rvent Masters of Ships or vessells running away after Embargoes are laid to which they desire their Honours Concurrence—

And the Said Bill was read the first time and ordered a Second reading

A Message to the Council by M^r Miles Cary who brought the following resolve of the house of Burgeffes and Desire their Concurrence thereto—*Viz^t*

Tuesday May the 26th 1702

By the house of Burgeffes

Ordered That his Excellency the Governour be desired to issue out his Orders to the respective Justices appointed to take the Lifts of Titheables in the Several Counties of this Dominion for this present yeare. to returne the Lifts they take to the respective County Court Clerkes so as the Said Clerk may be able to returne a Copy or Certificate of the same to the Sec^{rys}'s Office by the 20th Day of *July* next—

Ordered That his Excellency be desired to require the Seval County Court Clerkes to make due returne to the Sec^{rys}'s Office according to the Tenor of the abovesaid Ord^r

W^m Randolph Clk of the house of Burgeffes

Edmund Jennings and John Lightfoot Esq^{rs} having been to Administer the Oathes &c^a to W^m Byrd Gent returned a Burgefs for *King and Queene* County. reported that they had accordingly tendered the Same to him and that he gave in the following answer (*Viz^t*) *I have on Several Occasions Shewed my Obedience to his Maj^{ty} King William and should be as ready at this time but now I am informed he is dead the which I Believe and for that reason I think in Conscience I ought not to take the Oathes I therefore Desire to be Excused w^{ch}* they had certified to the house of Burgeffes

Then the Council Adjourned till tomorrow morning 8 a Clock

Wednesday May the 27th 1702

Present

EDMUND JENNINGS, *John Lightfoot, Matthew Page, John Custis & James Blair Esq^{rs}*

An Engrossed Bill from the Burgeffes Entituled a Bill to p^rvent Masters of Ships or vessells running away after Embargoes are laid read a Second time and Ordered a Third reading

Present

Present his Excellency

Ordered That the Clerk of the General Assembly doe carry the following message to the house of Burgeffes

By his Excellency

Mr Speaker and Gent of the house of Burgeffes

Upon considering [See J. of H. of B., p. 363.]

The Council proceeded to take into Consideration that part of the house of Burgeffes answer presented yesterday relating to the Levying forces upon any Extraordinary Emergency and after some debate therein

Ordered

That the Clerke of the General Assembly carry this following Message to the house of Burgeffes

By the honorable Council

Mr Speaker and Gent of the house of Burgeffes

Upon reading [See J. of H. of B., pp. 363-4.]

Adjourned till afternoone

Post Meridiem

Present as before

A MOCON being made and the question put that the Bill for preventing Masters of Ships and Vessels running away after Embargoes are Laid be now read a Third time

Itt Passed in the Negative & Ordered that y^e said bill be read a third time to Morrow Morning—

A message from the house of Burgeffes to the Council by *Mr W^m Leigh* and others *May itt please your Hon^{rs}* wee are Commanded by the house of Burgeffes to returne your Honours the answer made yesterday by the House to his Excellency and your Honours Several Propositions and to acquaint your Honours that the house have agreed to the Amendments proposed by your Honours to that Paragraph of the Same Leaving itt to his Excellency to Levy Competent forces upon any Extraordinary Emergencie as an Alarm Surprize or Invazion.

A Message to the Council from the Burgeffes by *Mr Miles Cary* and others who brought the following Resolve to w^{ch} they Desire the Councils Concurrence.

May the 27th 1702

By the house of Burgeffes

Resolved that this house doth agree to his Excellencies Proposition (*Viz*) that the time for returning the Lifts of Titheables to the Secretaries Office be Limited to the first day of *July* next

William Randolph Clk of the house of Burgeffes

And the Same was Accordingly Assented to by the Hon^{ble} Council and Delivered to the said *Mr Cary*.

A Message from the Burgeffes to his Excellency by *Mr W^m Leigh* and others.

May it Please your Excellency

Wee are Commanded by the house of Burgeffes to present to your Excellency the Resolve of the house upon your Excellys Message to them this day for Limiting the time for returning the lifts of Titheables to the first of *July* which is also agreed to by the Council and also to acquaint your Excellency that the Council have concurred with y^e Burgeffes in that paragraph of their Answer to your Excellency. and the Councils Several propositions whereby they Leave itt to yo^r Excellency by Advice of the Council to Levy Competent forces on any Extraordinary emergency as an Alarm Surprize Insurrection or Invazion

Then the Council Adjourned till tomorrow morning Eight a Clock

Thursday

Thursday May the 28th 1702

Present

HIS Excellency, *W^m Byrd, Edmund Jennings, John Lightfoot, Matthew Page, Robert Carter, John Cufitis, James Blair Esq^{rs}*

The Petition of *George Norfworthy Thomas* sworn and *Daniel Sullivan* praying the Allowance for taking the Examinaçon of Several wittnesfes by ord^r of the General Court bearing Date the 17th Day of *April 1701* on behalfe of our Sovereigne Lord the King againft *Samuel Booth* who was Suspected of Piracie read and
Ordered

That the Same be referred to the Confideraçon of the houle of Burgeffes

An Engroffed Bill from the Burgeffes Entituled a bill to prevent Mafters of Ships or Veffells running away after Embargoes are Laid was according to Order read the third time and affented to by the Council wth Some Amendments and Additions

Ordered

That the Clerk of the General Affembly carry the Said Bill to the houle of Burgeffes and acquaint them that the Council have agreed thereto with Amendm^{ts} and additions

A Meffage to the Council by M^r *W^m Leigh* and others that the houle of Burgeffes have agreed to the amendm^{ts} and Addition propofed by their hon^{rs} to the Bill to p^rvent Maft^{rs} of Ships or Veffells running away after Embargoes are Laid and have inferted them therein—

Ordered

That the Clerk of the General Affembly endorfe upon the Said Bill that the Same is Affented to by the Council

Then the Council Adjourned till tomorrow morning 8 a Clock.

Fryday May the 29th 1702

Present

HIS Excellency, *Edmund Jennings, John Lightfoot, John Cufitis, James Blair Esq^{rs}*
A Meffage from the houle of Burgeffes to his Excellency by M^r *William Leigh* and others

May itt Please yo^r Excellency

Wee are Commanded by the houle of Burgeffes to waite upon yo^r Excellency, and to Defire that a new writt may iffue for the Election of a Burgels for *New Kent* County in the roome of *W^m Baffett* Gent. and allfo a new writt for Elecçon of a Burgels for *King and Queene* County in the roome of *W^m Byrd* Gent. they having refused to take the Oathes—

Ordered

That the Clerk of the General Affembly goe to the Houfe of Burgeffes and Command their imediate attendance upon his Excellency in Council in the Council Chamber and that they bring with them what Bills they had p^rpared for his Excellencies Affent—

The houle of Burgeffes attending M^r *Speaker* Expreffed himfelf as followeth

May itt please your Excellency

In Obedience to your Excellys Command Wee his Maj^{ty}s moft Loyal and Dutiful Subjects the houle of Burgeffes doe, now attend your Excellencies wth a Bill and Ordinance Affented to by the honourable Council and our Selves the Bill is thus Intituled A bill to p^rvent Mafters of Ships or Veffells running away. after Embargoes are laid and the Ordinance thus (*Viz*) an Ordinance of Affembly for Settling the Dividing Lines between the Counties of *Surry Ifle of Wight Charles City and Nanfemond* on the South Side the *Blackwater* Swamp in Ord^r to receive yo^r Excellys Affent—

And thereupon the Said Bill and Ordinance were Signed by his Excelly & M^r *Speaker*.—

Then his Excelly Signed his Affent to that Paragraph of the houle of Burgeffes Anfwer Dated the 26th *Instant* wth was alfo Affented to by the Council wherein they leave

itt

itt to his Excellency with Advice of the Council to Levy. Competent forces. on any Extraordinarie Emergencie &c^a and Desired M^r *Speaker* also to Signe the Same in Order to give itt the force of an Ordinance of Affembly and m^r *Speaker* being Doubtful to Signe the Same Desired Leave to Advise wth the house thereupon & accordingly withdrew.

A Message from the house of Burgeffes to his Excellency by M^r *Miles Cary* and others that the House were ready to attend his Excellency when he pleased to Command them—

Ordered

That the Clk of the General Affembly goe to the house of Burgeffes and Command their imediate attendance on his Excellency in Council in the Council Chamber—

M^r *Speaker* with the house of Burgeffes Attending acquainted his Excellency that he had received the direcçons of the house to signe to that Paragraph of the house of Burgeffes answ^r which accordingly he did.

After which his Excellency Spake to this Effect

That the house of Burgeffes. having referred soe many matters to the Consideracon of the next Seffion of Affembly and the men of warr being Dayly Expected he had thought fitt to prorogue the Affembly noe longer. than the 18th of *June* next and hoped they would all be p^rsent then becaufe he believed he should receive ord^rs from *England* which would require their meeting at that time And Accordingly they were prorogued to the Said Eighteenth day of *June*.

Wil Robertson Cl Gen^l Affembly

AT A
GENERAL ASSEMBLY

begun at the Royal College of *William* and *Mary* adjoining to the Citty of *Williamsburgh* the fifth day of *December* 1700 in the 12th year of the Reign of King *William* the third, and thence continued by Several prorogacons to the 18th day of *June* 1702 in the first year of the Reign of our Sovereign Lady *Anne* by the grace of God of *England Scotland, France* and *Ireland* Queen Defender of the faith &c

At a General Affembly begun at the Royal College of *William* and *Mary* adjoining to the Citty of *Williamsburgh* the fifth day of *December* 1700 in the 12th year of the Reign of King *William* the third, and thence continued by Several prorogacions to the 18th day of *June* 1702 in the first year of the Reign of our Sovereign Lady *Anne* by the grace of God of *England Scotland, France* and *Ireland* Queen Defender of the faith &c

[*June* the 18th, 1702.]

THIS day being appointed for performing the Solemnity of proclaiming her most Sacred Majesty Queen *Anne*, and but few of the Gentlemen of the Council come to Town

The Council adjourned till tomorrow morning

Friday June the 19th 1702

Present

HIS Excellency *Francis Nicholson* Esq^r her Matys Liev^t and Governor General of *Virginia*, *Edmund Jennings*, *John Lightfoot*, *Benj^a Harrison*, *Robert Carter* and *James Blair* Esq^{rs}

Ordered

That the Clerk of the General Affembly carry to the House of Burgeses the Lords of her Matys most hon^{ble} Privy Council their lett^r to his Excellency notifying the death of our late Sovereign Lord King *William* the third, and directing the proclaiming of her Royal Majesty Queen *Anne*, and also deliver to the House the several following papers
viz

Her Matys gracious declaracon at her first sitting in Council at *S^t James's*

Her Ma^{ty}s proclamation continuing all Officers &c

The Addrefs of the House of Lords to her Majesty

The Addrefs of the House of Commons to her Majesty

Her Maj^{ty}s most gracious answer to the said Addrefs

Her Ma^{ty}s Speech to both Houses of parliament

The Addrefs of the House of Lords on the 12th of *March*

Her Majestys answer to the thanks of the House of Commons for her most gracious Speech

And the Votes of the house of Commons of the 17th of *March* last. settling the Revenue on her Majesty.

And that the Clerk of the General Affembly acquaint the said House of Burgeses that his Excellency and the hon^{ble} Council intend immediatly to proceed to the proclaiming her Majesty according to the Forme Sent by the Lords of her Majestys most hon^{ble} privy Council, and pursuant to his Excell^{cy}s proclamation bearing date the 30th day of *May* last, and desire the concurrence of the House of Burgeses.

A message to his Excellency and the hon^{ble} Council by M^r *William Leigh* and others, that the House of Burgeses were ready to attend his Excell^{cy} and their Hon^{rs} for proclaiming the Queen when his Excell^{cy} should please to command them.

Then the Council adjourned till to morrow morning 8 a clock.

Saturday

Saturday June the 20th 1702

Present

HIS Excellencie *Francis Nicholson Esq^r, William Byrd, Edmund Jenings, John Lightfoot, Benj^a Harrison, Robert Carter, James Blair Esq^{rs}*
The Council being informed that the House of Burgeffes were adjourned, they also adjourned till 8 a clock on *Munday* morning next

Munday June 22^d 1702

Present

HIS Excellencie, *William Byrd, Edmund Jenings, Jⁿ Lightfoot, Benj^a Harrison, Robert Carter, James Blair Esq^{rs}*

Ordered

That the Clerk of the Gen^l Affembly carry this following meffage to the house of Burgeffes

By his Excellency & the hon^{ble} Council

M^r Speaker & Gentlemen of the House of Burgeffes

His Excellency and the hon^{ble} Council . . . [See J. of H. of B., 1695-1702, p. 371.]

The petition of *James Adams*. Indian Interpreter praying that the usual allowance as an Interpreter may be paid him he having served as Such almost a year, read and
Ordered

That It be referred to y^e confideraçon of the House of Burgeffes

The petition of the Veftry of *Norfolk* parish fetting forth sev^l matters relating to their parish, read, and

Ordered

That y^e same be referred to y^e confideraçon of the House of Burgeffes

Then the Council adjourned till tomorrow morning 8 a'clock.

Tuesday June the 23^d 1702

Present

HIS Excellencie, *William Byrd, Edmund Jenings, John Lightfoot, Benj^a Harrison, Robert Carter, James Blair Esq^{rs}*

Ordered

That the Clerk of the General Affembly carry this following meffage to the House of Burgeffes

By his Excell^{cy} and the hon^{ble} Council

M^r Speaker & Gentlemen of the House of Burgeffes

Whereas it hath been [See J. of H. of B., p. 371.]

Ordered

That the Clerk of the General Affembly carry this following meffage to the House of Burgeffes

By his Excellency & the hon^{ble} Council

M^r Speaker & Gentlemen of the House of Burgeffes

His Excellency [See J. of H. of B., p. 372.]

A meffage from the House of Burgeffes to his Excellency and Council by M^r *Joseph Foster* and others, who brought the following Resolves

Tuesday June y^e 23^d 1702

By the House of Burgeffes

A motion being made that Committees be appointed and a debate thereupon arising
The Question was putt

That Committees fhall be appointed

It passed in the Negative

W^m Randolph Cl H Burg^s

Ordered

Ordered

That the Clerk of the General Affembly go to the Houfe of Burgefles and Command their immediate attendance on his Excellency in Council in the Council Chamber

Mr *Speaker* with the Houfe attending his Excellency was pleafed to fay as follows

Mr *Speaker and Gentlemen of the Houfe of Burgefles*

It having pleafed [See J. of H. of B., pp. 372-3.]

The petition of *John Waller* for leave to patent Some land lying in *Pamunkee* neck being read

Ordered

That it be referred to y^e confideraçon of the Houfe of Burgefles

Then the Council adjourned till tomorrow morning 8 a'clock.

Wednesday June the 24th 1702

Present

HIS Excellencie, *William Byrd, Edmund Jennings, John Lightfoot, Benj^a Harrison, Robert Carter, James Blair* Esq^{rs}

Ordered

That the Clerk of the General Affembly carry to the Houfe of Burgefles the following meffage from his Excellency

Mr *Speaker & Gentlemen of the Houfe of Burgefles*

I received yo^r Vote [See J. of H. of B., p. 373.]

Ordered

That the Clerk of the General Affembly carry to the Houfe of Burgefles the following meffage

By his Excellency

Mr *Speaker & Gent. of the house of Burgefles*

His Excellency having [See J. of H. of B., p. 373.]

A meffage from the Houfe of Burgefles by Mr *Bland* & others who in anfwer to his Excellencys aforefaid meffage brought the following Refolves

Tuesday June y^e 23^d 1702

By the Houfe of Burgefles

Resolved

That *William Byrd* of *King* and *Queen* County in Saying that this Affembly were about to raife a Tax upon the people in this Country which would amount to Seventeen thoufand pounds a year for the ufe of the College And that Collon^l *William Leigh* had confented to it, is guilty of a Seditious Scandalous malitious and utterly falfe Report.

Resolved

That the Report which *William Byrd* made that Mr *Nathaniel Harrison* and Mr *George Marable* were taken into cuftody about giving the Speaker ten thoufand pounds of Tobacco, is feditious fcandalous malitious and utterly falfe.

Ordered that the Clerk of the Houfe Send copies of the f^d Refolves of this Houfe to the Sheriff of *King* and *Queen* County And that he caufe y^e Same to be published at their County Court and in all Churches & Chappells within the faid County

W^m Randolph Cl H Burg^s

Upon reading and confidering the Refolves of the Houfe of Burgefles concerning y^e Reports published and Spread abroad by *William Byrd* of *King* and *Queen* County. The hon^{ble} Council came to the following Refolves *Viz*

Resolved

That the hon^{ble} Council do agree with the Houfe of Burgefles that *William Byrd* of *King* and *Queen* County in Saying that this Affembly were about to raife a Tax upon
the

the people in this Country which would amount to Seventeen thousand pounds a year for the use of the College is guilty of a Seditious scandalous malicious and utterly false Report

Ordered

That the said *William Byrd* for his said Offence be struck out of the Commission of the peace for *King* and *Queen* County

Ordered

That the said *William Byrd* appear at y^e next Court held for the said County of *King* and *Queen* and in open Court make a publick acknowledgement of his Said Offence, and in case of his Refusal that M^r *Benj^a Harrison* Council for the *King* prosecute him for the same.

Ordered

That the Justices of *King* & *Queen* County issue their warrant to the Sheriff of the said County to take into his Custody the body of the said *William Byrd* untill he enter into Bond with good and Sufficient security for his good behaviour. And

Ordered

That the Clerk of the General Assembly send a copy of the above Orders & Resolves to the Sheriff of *King* and *Queen* County that notice may be given to the said *W^m Byrd* for his compliance therewith.

Then the Council adjourned till tomorrow morning 8 a'clock.

Thursday June the 25th 1702

Present

HIS Excellencie, *William Byrd*, *Edmund Jennings*, *John Lightfoot*, *Benj^a Harrison*, *Robert Carter*, *James Blair* Esq^{rs}

A message from the House of Burgeses to his Excellency by M^r *Robert Beverley* and others who brought the following answer of the House of Burgeses to his Excell^{cy}s Speech

By the House of Burgeses

May it please y^r Excellency

We her Matys Loyal [See J. of H. of B., p. 375.]

And also the said M^r *Beverley* acquainted his Excellency that the House of Burgeses had Signed an Address to her Maty, and desired to know his Excellencys pleasure when they should attend him with y^e Same.

Then the Resolves of the House of Burgeses, in answer to his Excell^{cy}s Speech, were read; And thereupon

Resolved

That the hon^{ble} Council do concur with the House of Burgeses in the first part of their said answer *Viz* that the Ordinance of the last Session of Assembly giving power to the Governor with the advice of the Council upon any Alarm, Surprise, Infurrection or Invasion to Levy suitable & competent Forces to be paid by the publick &c is a Sufficient provision for the security of this Country on any such occasion untill there shall be a Session of Assembly.

Ordered

That the Clerk of the General Assembly go to the House of Burgeses and Command their immediate attendance upon his Excellency in Council in the Council Chamber, and bring with them what they have to offer to him

M^r *Speaker* with the House being come into the Council Chamber Addressed himself to his Excellency as followeth

May it please y^{or} Excellency

The House of Burgeses having drawn up and Signed a congratulatory Address to her most Sacred Maty upon her Accession to the Throne of her Ancestors As a token
of

of their Loyalty and affection to her Matys perfon and Government, Do now in obedience to yo^r Excell^{cy}'s commands wait on yo^r Excellency to pray yo^r favour and Affiftance in getting the fame tranfmitted to her Majefty.

And then delivered the f^d Addrefs to his Excellency

After which his Excellency was pleafed to acquaint the Houfe to this effect, that having confidered their anfwer to his Speech he had thought fitt on Acco^{nt} of the bufie time of the year to give them a Recefs, but before he prorogued them he muft premife to them that he was ftill in expecta^{on} of receiving Orders from *England* which obliged him not to put off their meeting for any long time And therefore he prorogued them till the twelfth day of *Auguft* next And that accordingly they were prorogued: Yet leaft they fhould be put to any unnecelfary trouble his Excell^{cy} was further pleafed to tell them that he did not intend they fhould meet at that time unlefs betwixt [this] and then they fhould hear that fome new Orders from *England* were arrived.

Wil Robertfon Cl Gen^l Affembly

AT A

GEN^{LL} ASSEMBLY

begun at the Royall Colledge of *W^m* and *Mary* adjoyning to the City of *W^msburgh* the 5th day of *Decemb^r* 1700 in y^e 12th year of the Reign of King *W^m* the third and thence Continued by sev^{ll} Prorogations to y^e 14th day of *Aug^t* 1702 in y^e first year of the Reign of our Sovereign Lady *Anne* by the Grace of God of *England Scotland France & Ireland* Queen defender of the faith &c

At a Gen^l Assembly begun at the Royall Colledge of *W^m* and *Mary* adjoyning to the City of *W^m/burgh* the 5th day of *Decemb^r* 1700 in y^e 12th year of the Reign of King *W^m* the third and thence Continued by sev^l Prorogations to y^e 14th day of *Aug^t* 1702 in y^e first year of the Reign of our Sovereign Lady *Anne* by the Grace of God of *England Scotland France & Ireland* Queen defender of the faith &c

[*August* 14th, 1702.]

Present

HIS Excell^y *Francis Nicholson* Esq^r her Maty^s Lieu^t and Gov^r Gen^l of *Virg^a*,
Edm^d Jennings, *Benj^a Harrison*, *Rob^t Carter*, *James Blair* Esq^{rs}

Ordered That y^e Clk of y^e Gen^l Assembly go to the house of Burgeffes and Command their Immediate attendance upon his Excell^{cy} in Council in the Council Chamber

M^r *Speaker* with y^e house attending his Excell^{cy} was pleased to make the following Speech

Honorable Gentlemen

I have lately had a paper . . . [See J. of H. of B., 1695-1702, p. 379.]

Upon reading a Lett^r to his Excell^{cy} from L^t Coll *W^m Randolph* Clk of the house of Burgeffes representing that he hath been so afflicted wth y^e Gout that he could not propose in any reasonable time to go abroad neither could he pretend to officiate such a place as Clk of y^e house of Burgeffes w^{ch} required his personal attendance His Excell^{cy} was pleased to appoint *W^m Randolph* Junior Son to y^e said L^t Coll *W^m Randolph* to officiate as Clk of y^e house of Burgeffes during his fathers illness and

Ordered That a Comission be prepared accordingly

A message to his Excell^{cy} from y^e house of Burgeffes by M^r *W^m Leigh* and others that y^e house had Commanded them to wait on his Excell^{cy} & to desire that his Excell^{cy} will please to appoint a Clk to do the business of the house of Burgeffes

And then the Council adjourned till to morrow Morning 8 a Clock

Saturday Aug^t 15th 1702

Present

HIS Excellencie, *Edm^d Jennings*, *Benj^a Harrison*, *Rob^t Carter*, *James Blair* Esq^{rs}

A Comission being (according to order) prepared Impowring *William Randolph* son to L^t Coll *W^m Randolph* to officiate Clk of the house of Burgeffes during his fathers illness was read: approved and Signed by his Excellency in Council

William Randolph Junior Comissioned by his Excell^{cy} to officiate as Clk of the house of Burgeffes during his fathers illness took y^e oaths appointed by act of parlim^t to be taken in Stead of the oath of allegiance & Supremacy Subscribed y^e test and took the oath of Clk of the house of Burgeffes: Which was Certified as usuall

And then y^e Council adjourned till *Munday* Morning 8 a Clock

Munday

*Munday Aug^t 17th 1702*P^resent

HIS Excellencie, *Edm^d Jenings, Benj^a Harrison, Rob^t Carter, James Blair Esq^{rs}*
 His Excellency Communicated to the hon^{ble} Council a Speech w^{ch} he
 intended to make to the House of Burgeses and y^e Same was read

The Grievances of the Inhabitants of *Charles City County* on y^e south
 side of *James River* read and

Ordered That y^e Same be Referred to y^e Considera^on of the house of Burgeses

A message from y^e house of Burgeses to his Excell^y by M^r *W^m Leigh* and others who
 brought the following Refolve

*Munday Aug^t 17th 1702**By the house of Burgeses*

Resolved Nemine Contradicente That it is not Convenient to proceed upon the Revival
 of the laws at this time

W^m Randolph Jun^r Clk H Burgeses

And then the Council adjourned till to Morrow Morning 8 a Clock

*Tuesday Aug^t the 18th 1702*P^resent

HIS Excellency, *Edm^d Jenings, Benj^a Harrison, Rob^t Carter, James Blair Esq^{rs}*
 A peti^on of *Thomas Pate* praying that he may have the Sole Priviledge
 of keping a ferry at *York towne* without y^e Interruption of any other perfon
 and also

A Peti^on of *Mungo Somerwell* praying that he may have y^e sole Priviledge of keeping
 ferry there exclusive of all others

Were Severally read and

Ordered that they be Referred to y^e Considera^on of the house of Burgeses

The Proposition of Sev^l Inhabitants of *James City County* on y^e South side of
Chickahominy River praying that (in case the bill for dividing *Charles City County* take
 effect) So much of *James City County* as lyes between *James River* and *Chickahominy*
River may be added to y^e North part of *Charles City County* and also that y^e Same may
 be made into one Parish: Being read

Ordered that y^e Same be Referred to y^e Considera^on of the house of Burgeses

The peti^on of *Benj^a Lillingston* praying allowance for his attendance on his Excell^y
 and Council three meetings or Sess^on of Affembly: read and

Ordered That y^e Same be Referred to y^e Considera^on of the house of Burgeses

Ordered That the Clk of y^e Gen^l Affembly go to the house of Burgeses and Com-
 mand their Immediate attendance on him and the Council in the Council Chamber

M^r *Speaker* wth the house attending his Excell^y was pleased to say as followeth
Gentlemen

By the divine permiffion . . . [See J. of H. of B., pp. 382-83.]

Then y^e Council adjourned till to Morrow Morning 8 a Clock

*Wednesday Aug^t 19th 1702*P^resent

EDM^D JENINGS, *Benj^a Harrison, Rob^t Carter, James Blair Esq^{rs}*
Charles Evans appointed by the house of Burgeses Clk of y^e Comittee
 for propositions & Grievances took y^e oaths appointed by act of parlim^t to be
 taken insteade of the oaths of allegiance & Supremacy Subscribed y^e test and
 took y^e oath of Clk of y^e said Committee w^{ch} was certified as Ufuall

Ordered

That y^e Clk of the Gen^l Affembly carry y^e following Message to the house of
 Burgeses

By

By his Excellency & y^e hon^{ble} Council

M^r Speaker & Gent of y^e house of Burgeses

The building of the Capitoll . . . [See J. of H. of B., p. 385.]

Then the Council adjourned till to Morrow Morning 8 a Clock

Thursday Augt 20th 1702

Present

EDM^D JENINGS, Benj^a Harrison, Rob^t Carter, James Blair
A Grievance from King William County: read and
Ordered

That it be referred to the Consideraçon of the house of Burgeses
Adjourned till 3 a clock afternoon

Post Meridiem

Present

HIS Excellencie, Edm^d Jenings, Ben^a Harrison, Rob^t Carter, James Blair Esq^{rs}
The Peticon of Cap^t Rob^t Snead praying to have ye sole priviledge of
keeping the ferry at York Town: read &
Ordered

That y^e same be Referred to y^e confideraçon of the house of Burgeses

The Petition of Barnabie Markinne & other inhabitants on the south side *Black water* swamp praying leave to y^e said Markinne to erect a Grift mill there, read and
Ordered

That y^e same be Referred to y^e Consideraçon of the house of Burgeses

A peticon of Chicheley Corbin Thacker Clk of y^e Secretarys office praying allowance for entering y^e Laws of five sessions of Affembly in y^e Countrys Law Book

And also

A Peticon of y^e said Chicheley Corbin Thacker praying that M^r Secretary may be allowed for writts for election of Burgeses issued out of his office since last Session of Affembly was read and

Ordered

That they be Severally Referred to y^e Consideraçon of the house of Burgeses

And then y^e Council adjourned till to Morrow Morning 8 a Clock

Friday Augt 21: 1702

Present

HIS Excellency, Edm^d Jenings, Benj^a Harrison, Rob^t Carter, James Blair Esq^{rs}
A message from y^e house of Burgeses to y^e Council by M^r Miles Carey
and others y^t y^e house had then appointed a Committee to Joine wth such of
the hon^{ble} Council as their Hon^{rs} should appoint to adjust all matters relating
to the Capitoll according to his Excell^{cy}s and their hon^{rs} propositions to the house of
Burgeses

Resolved and accordingly Ordered

That Edmund Jenings Benj^a Harrison and Rob^t Carter Esq^{rs} be appointed as Committee to Joine wth y^e Committee of y^e house of Burgeses to adjust all Matters relating to y^e Capitoll

And then y^e Council adjourned till to Morrow Morning 8 a Clock

Saturday

Saturday August 22^d 1702

P^resent

HIS Excellency, *Edm^d Jenings, Benj^a Harrison, James Blair Esq^r*

A meffage from y^e house of Burgefes to his Excell^y by M^r *W^m Leigh* and others That y^e house had Commanded them to wait on his Ex^y to know his pleasure when they should attend him wth an addrefs in Answer to his Speech

Upon w^{ch} his Excell^y was pleased to Say they might come now

M^r *Speaker* wth y^e house attending presented an addrefs to his Excell^y in y^e following words

*To his Excell^y Francis Nicholson Esq^r her Matys Lieu^t and Gow^r Gen^l of Virg^a
May-it please y^r Excell^y*

We her Matys Loyall . . . [See J. of H. of B., p. 389.]

Ordered

That y^e Clk of y^e Gen^l Affembly carry to y^e house of Burgefes the following Meffage

By his Excellency & y^e hon^{ble} Council

M^r Speaker and Gent of the house of Burgefes

Upon perufal of y^e Survey . . . [See J. of H. of B., p. 391.]

And then y^e Council adjourned till *Munday Morning 8 a Clock*

Munday Aug^t 24th 1702

P^resent

HIS Excellencie, *Edm^d Jenings, Jn^o Lightfoot, Benj^a Harrison, James Blair Esq^r*

A meffage from y^e house of Burgef^s to y^e Council by M^r *W^m Leigh* and others who brought y^e following Engroffed Bills *Viz*

A Bill for deviding *Charles City County*

A Bill for y^e Regulacon and Settlem^t of ferrys and for difpatch of publick Exprefses and for y^e Speedy transporting of forces over Rivers and Creeks in time of dang^r

And a bill prohibiting Seamen being harboured or Entertained on Shore

To w^{ch} they defire y^e Council Concurrence

An Engroffed bill from y^e Burgef^s Ent *an act for deviding Charles City County* Read y^e firft time and ordered a fecond Reading

An Engroffed Bill from y^e Burgef^s Ent *an act for y^e Regulacon and Settlem^t of ferrys and for difpatch of publick Exprefs and for y^e Speedy transporting fforces over Rivers and Creeks in time of dang^r* Read the first time and ordered a Second Reading

An Engroffed bill from y^e Burgef^s Ent *an act prohibiting Seamen being harboured or entertained on Shore*

Read y^e firft time and ordered a Second Reading

And then y^e Council adjourned till to Morrow Morning 8 a Clock

August 25th 1702

P^resent

HIS Excellency, *Edm^d Jenings, John Lightfoot, Matth: Page, Benj^a Harrison, and James Blair Esq^r*

An Engroffed bill from y^e Burgef^s Ent^d a bill for y^e Regulacon and Settlem^t of ferrys and for difpatch of publick Exprefes and for y^e Speedy transporting forces over Rivers and Creeks in time of dang^r was read y^e Second time and ordered a third Reading

An Engroffed bill from y^e Burgef^s Ent a bill prohibiting Seamen being harboured or entertained on Shore: read y^e fecond time and ordered a third reading and

An Engroffed bill from y^e Burgef^s Ent a bill for y^e deviding *Charles City County* read y^e Second time and ordered a third reading

Adjourned till two a Clock afternoone

Post

Post Meridiem

Prsent

HIS Excellency, *Edm^d Jenings, John Lightfoot, Matth: Page, Benj^s Harrifon,*
and *James Blair Esq^s*

Upon reading y^e addrefs of y^e houle of Burgef^s to his Excell^{cy} of y^e 22^d
instant The Council came to y^e following Refolves *Viz* As to y^e part of y^e faid
Addrefs relating to y^e fortificaçons and Navall Forces

Resolved That y^e Council do concur wth y^e houle of Burgef^s in their Refolves there-
upon

As to y^t part of y^e faid addrefs in anſwer to his Excell^{cy}s propoſition concerning
Ships that now are or hereafter ſhall arrive in y^e Country whether to lett them go Singly
as they are Loaded or to ſtop them in hopes of ſome accidentall Convoy or till they
be twenty to Sail enough to make a flect of themſelves

Resolved

That for as much as there are but few Ships now in y^e Country and no proſpect of
any Convoy therefore y^e faid Ships at preſent in y^e Country have leave to Sail as they
are Loaden

And upon Conſidering y^t part of y^e above f^d addrefs giving pow^r to y^e Gov^r wth
advce of y^e Council on any accident to Levy ſuitable and Competent forces &c

Ordered

That y^e Clk of y^e Gen^l affembly carry y^e following meſſage to y^e houle of Burgef^s

By y^e hon^{ble} Council

M^r Speaker and Gent of y^e houſe of Burgeſſes

Upon perufal of y^t part of y^e [See J. of H. of B., p. 393.]

An Engroſſed bill from y^e Burgf^s Ent a bill for y^e Regulaçon and Settlem^t of ferrys
and for diſpatch of publick Exprefes and for y^e Speedy tranſporting forces over Rivers
& Creeks in time of dang^r

And alſo

An engroſſed bill from y^e Burgef^s Ent a bill prohibiting Seamen being harboured
or entertained on Shore

Were Read y^e third time and Severally agreed to by y^e hon^{ble} Council without any
Amendm^t

Ordered

That y^e Clk of y^e Gen^l Affembly carry y^e faid two bills to y^e houle of Burgef^s and
acq^t them y^t y^e Council have agreed thereunto without any Amendm^t

An Engroſſed bill from y^e Burgef^s Ent a bill for deviding *Charles City County* Read
y^e 3^d time and agreed to by y^e Council wth and Amendm^t

Ordered

That y^e Clk of y^e Gen^l Affembly carry y^e faid Bill to y^e houle of Burgef^s & acq^t
them y^t y^e Council have agreed thereto wth an amendm^t

A meſſage to his Excell^y from y^e houle of Burgef^s by M^r *Miles Carey* and others who
acq^t his Excelcy that they were commanded by y^e houle to preſent to his Excell^y the
Refolves of y^e houle in anſw^r to his Excell^{cy}s and y^e Councils meſſage to them on *Saturday*
laſt w^{ch} Refolves is as follows

Monday Aug^t y^e 24th 1702

By y^e houſe of Burgeſſes

A meſſage from his Excelcy and y^e hon^{ble} Council on *Saturday* [See
J. of H. of B., p. 392.]

A meſſage from y^e houle of Burgef^s to y^e Council by M^r *Miles Carey* and others
who brought y^e Book of Publick Claimes to w^{ch} they deſire their hon^{rs} Concurrence

And

And also acquainted their hon^{rs} y^e y^e house of Burges^s had agreed to the Amendm^t proposd by their Hon^{rs} to y^e bill for deviding *Charles City* County and had inferted it therein

And y^e said bill being assented to by y^e Council was delivered back to y^e said M^r Miles Cary

And then y^e Council adjourned till to Morrow Morning 8 a Clock

Wednesday Aug^t 26th 1702

Prsent

HIS Excellency, *Edm^d Jennings, Jn^o Lightfoot, Matth: Page, Benj^a Harrison, Rob^t Carter, James Blair Esq^{rs}*

Edm^d Jennings Esq^r from y^e Committee apointed to Joine wth y^e Committee of y^e Burgeses for appropriating the Roomes and adjusting all Matters relating to y^e Capitol reported their Resolutions thereon w^{ch} he delivered at y^e table where y^e Same were Read and agreed to by y^e hon^{ble} Council and are as followth

That y^e building to the westward [See J. of H. of B., pp. 394-95.]

Ordered

That y^e Clk of y^e Gen^l Assembly carry to y^e house of Burges^s the Lifts of the Militia wth y^e following Message from his Excell^{cy} in writing

M^r Speaker and Gent of y^e house of Burgeses

I herewth fend y^a [See J. of H. of B., p. 394.]

Upon reading y^e Book of Claimes of y^e Assembly held in Aug^t 1701 *Benj^a Harrison* and *Rob^t Carter Esq^{rs}* objected against that article of ten thousand pounds of Tobb^o and Cask to y^e Speaker of y^e house of Burges^s because the said allowance hath been discontinued ever Since y^e Year 1695 and they did not think it Reasonable to revive it now

The question was put to y^e whole Council if y^e said ten thousand pounds of tobbs^o shall be allowed

And *it passed in y^e Negative* it being an Unnecessary charge only M^r Sec^{ry} *Jening* desired y^t his Dissent to y^e s^d vote might be entered on y^e Journall

His Excellency then acquainted y^e Council y^t he thought y^e said Book of Claimes wth y^t very article was allowed in Aug^t last upon the house of Burges^s allowing y^e Sum of 146 £. 8 s. 3 of extraordinary charges and y^e Sum of Sixty three pounds paid by M^r Aud^r *Byrd* for land for y^e Gov^{rs} House w^{ch} two articles his Excell^{cy} hath told y^e house of Burgeses he doth not now insist on having rec^d no orders from *England* about them and therefore he is of y^e opinion that y^e said book is past and y^t y^e house of Burgeses are y^e most proper Judges of the Meritt and Rewards due to their own officers and it hath been for much longer time allowed then disallowed and what reasons they had for so doing are best known to themselves: This article hath been allowed by two houses of Burges^s one after another, and if upon its not being allowed here y^e house of Burges^s should refuse to pass the whole Book of Claimes it will be a Grievous oppression upon y^e Subject (there being two Years Claimes due) and may in Some sort indang^r y^e peace and quiet of this her Matys Colony and Dominion of *Virg^a* and this sum of ten thousand pounds of Tobb^o will not amount to half a pound ³/₄ pole

The Council proceeded to y^e Considera^{on} of the Book of Claimes made up in *May* last and this Prsent Session: and after reading y^e Same over

Adjourned for an hour

Post

Post Meridiem

THE Council having resumed y^e consideraçon of the Book of Claimes and agreed thereto wth an Amendm^t y^t y^e ten thous^d pounds of Tobacco and Cask to M^r *Speaker* be expunged

Ordered

That y^e Clk of y^e Gen^l Affembly carry y^e book of Claimes to y^e H Burgef^s and acq^t them y^e Council have agreed thereto wth an amendm^t

A meffage from y^e houle of Burgef^s to y^e Council by M^r *Miles Carey* and others y^t y^e houle had Commanded them to wait on their Hon^{rs} wth y^e Bookes of Claimes and repres^t [present] their hon^{rs} wth a Refolve of the houle in anfw^r to their amendm^t for expunging out of y^e Book of Claimes y^e article of 10000 L of Tobb^o to y^e Speaker w^{ch} Refolve is in these words *viz*

By the House of Burgef^s

Aug^t y^e 26th 1702

Resolved

That y^e houle doth adhere to their form^r Refolve in giving Major *Peter Beaverly* Speaker of y^e Houfe ten thousand pounds of tobb^{co} and that y^e houle will not recede from y^e Same

W^m Randolph Cl H Burgef^s

And y^e said M^r *Miles Carey* presented to y^e Council an ordinance for y^e defence of y^e Country in time of dang^r and desired their hon^{rs} Concurrence thereto and the f^d ordinance was read and agreed to by the hon^{ble} Council without amendm^t

Ordered

That y^e Clk of y^e Gen^l Affembly carry y^e said ordinance to y^e houle of Burgef^s and acq^t them y^t y^e Council have agreed thereto w^{thout} any amendm^t

A meffage from y^e houle of Burgef^s to his Excell^{cy} by M^r *W^m Leigh*, M^r *Miles Cary* and M^r *Gawin Corbin*

May it please y^r Excell^{cy}

We are comanded by y^e houle of Burgef^s to wait upon y^r Excell^{cy} and to desire y^r Excell^{cy} to signify yo^r pleasure when y^e houle shall attend you wth an addrefs

To w^{ch} his Ex^{cy} answered now if they pleased

M^r *Speaker* wth y^e houle being come into y^e Council Cham^r first read: and afterward delivered to his Excell^{cy} y^e following addrefs

To his Excell^{cy} Francis Nicholson Esqr her Matys Lieu^t and Gow^r Gen^l of Virg^a

The humble addrefs of the house of Burgef^{ses}

May it Please y^r Excellency

We her Matys most Loyal [See J. of H. of B., p. 395.]

Whereupon his Excellency made the following Answer

Gentlemen

I return you thanks for y^r kind addrefs In it you have given me a patern of a good Govern^r w^{ch} I shall always endeavour to follow and I shall make it my Constant prayers to almighty God that he would be pleased to enable me so to do you may depend upon it that I shall on all occasions be ready to venture my Life and fortune for her Matys Service and the defence of this Country

As to y^e Expreffions of y^r Loyalty to her most Sacred Maty (w^{ch} indeed I should have answered first but y^t it now comes in y^e Courfe of y^r addrefs as I have formerly done so I shall always give you y^e Character of a Loyal and Dutiful People to y^e Crown of *England* and I hope that God almighty will enable me to performe my sincere intentions of discharging my duty to him and her Maty and to do all y^e good I can to *Virg^a* This Affembly being like to continue but a short time I hope as you have hitherto proceeded wth concord so you will Continue so that we may all part in Amity

Then the Council took into Consideraçon y^e Refolve of y^e houle of Burgef^s upon y^e amendm^t to y^e Book of Claimes and after some time spent therein His Excellency acquainted

acquainted the Council y^e in y^e paffing of y^e Claims he demanded a priviledge to fitt and vote as president of the Council And upon fome further debate on y^e Subject matter of the faid amendm^t and Refolve in anfwer thereto

Refolved

That y^e Council doth agree to y^e Book of Claimes except y^e article giving ten thous- and weight of tobb^o to Major *Peter Beverly* Speaker of y^e houle of Burgef^s w^{ch} article they propofe may be submitted to y^e determination of y^e Lds Comm^{rs} for trade and plantacons and in the mean time y^t y^e Levy be laid without it

Ordered that y^e Clk of y^e Gen^l Affembly carry a Copy of y^e faid Refolve together wth y^e book of Claimes to y^e houle of Burgef^s

A meffage from y^e houle of Burgef^s to y^e Council by M^r *Miles Carey* and others who brought back y^e Book of Claimes wth y^e following Refolve *viz*

By y^e houle of Burgef^s

Aug^t y^e 26th 1702

Upon Confideration of y^r Hon^{rs} [See J. of H. of B., p. 396.]

Then y^e Council adjourned till to Morrow Morning 7 a Clock

Thursday Aug^t 27: 1702

Pr^{sent}

HIS Excellencie, *Edm^d Jenings, Jn^o Lightfoot, Matth: Page, Benj^a Harrifon, Rob^t Carter, James Blair* Elq^{rs}

Upon reading y^e Refolve of the houle of Burgef^s delivered on yefterday concerning y^e allowance to y^e Speaker

Ordered

That *Benj^a Harrifon & Rob^t Carter* Elq^{rs} be appointed a Comittee to draw up an Anfwer to the faid Refolve

A peticon of M^r Secretary *Jenings* praying allowance for 409 Military Comiffions lately Ifsued out of his office and that it may be afcertained by whome y^e faid fee fhall be paid for y^e future Read and

Referred to y^e Confideracon of y^e houle of Burgef^s

Benj^a Harrifon Elq^r from y^e Comittee appointed to draw up an anfwer to y^e Refolve of y^e Burgef^s delivered on Yefterday concerning y^e allowance to y^e Speaker reported y^e Refolutions they had come to thereupon w^{ch} he delivered in at y^e table where y^e Same were read and agreed to by y^e Council excep^t M^r Secretary *Jenings* who propofed an expedient for compaffing that difference

Ordered

That y^e Clk of y^e Gen^l Affembly carry to y^e houle of Burgef^s the following Refolves of y^e Council in anfwer to y^e Meffage Yefterday concerning y^e allowance to the Speaker *Viz*

By the Council

Upon Confideracon of y^r [See J. of H. of B., p. 397.]

Whereupon his Excell^{cy} Ordered y^e Clk of y^e Gen^l Affembly to carry to y^e houle of Burgef^s y^e following written meffage from him Self relating to y^e above Refolve of y^e Council

M^r Speaker & Gent of y^e houle of Burgef^s

I fend you herewth a Copy [See J. of H. of B., p. 397.]

A meffage from y^e houle of Burgef^s to y^e Council by M^r *Miles Carey* & others
May it please y^r Hon^{rs}

We are comanded by y^e houle of Burgefes to return y^r Hon^{rs} y^e Book of Claimes and to acquaint you wth what our Speaker & y^e houle have done upon y^r laft Meffage

By

*By y^e house of Burgeffes**Aug^t 27—1702**May it Please y^r hon^{rs}*In anfw^r to your Meffage [See J. of H. of B., pp. 398-99.]*Resolved*That y^e Council do agree to y^e Book of Claimes as amended*Ordered*That y^e Clk of y^e Gen^l Affembly carry y^e faid Book of Claimes to y^e house of Burg^s and acquaint them y^t y^e fame were agreed to by his Excellency and also by y^e hon^{ble} CouncilA meffage to the Council by M^r *Miles Carey* and others who brought y^e following Refolve to w^{ch} they desire y^e Councils Concurrence*By y^e house of Burgeffes**Aug^t y^e 27th 1702**Resolved*That y^e house doth agree to give [See J. of H. of B., p. 399.]And y^e faid Refolve was assented to by his Excell^{cy} and y^e Hon^{ble} Council*Ordered*That y^e Clk of y^e Gen^l Affembly carry y^e faid Refolve to y^e house and acquaint them y^t y^e Same is assented to by his Excell^{cy} and y^e hon^{ble} CouncilA meffage to y^e Council by M^r *Rich^d Bland* & others y^t y^e house of Burgef^s had paffed M^r *Treasurers* Acc^{ts} and desired their hon^{rs} Concurrence theretoThe faid acc^{ts} were then perused and paffed by his Excell^{cy} and y^e hon^{ble} Council: and ordered to be returned to y^e houseAnd then y^e Council adjourned till to Morrow Morning 8 a Clock*Friday Aug^t 28th 1702**Pr^{sent}***H**IS Excellency, *Ed: Jennings, J^{no} Lightfoot, Matth Page, Rob^t Carter, & Ja: Blair Esq^{rs}**Ordered*That y^e Clk of the Gen^l Affembly go to the House of Burg^s and command their immediate attendance on his Excell^{cy} in y^e Council ChamberM^r *Speaker* wth y^e house attending his Excell^{cy} was pleased to say*M^r Speaker and Gent of y^e house of Burgef^s,*

It having pleased the Almighty [See J. of H. of B., pp. 400-01.]

M^r *Miles Cary* and others wait upon his Excell^{cy} and present y^e following addrefs from y^e house of Burgef^s *Viz**May it please y^r Excell^{cy}*

Your Excellency's kind Meffage [See J. of H. of B., p. 401.]

A meffage from y^e house of Burgef^s to y^e Council by M^r *Miles Carey* and others who brought y^e book of proportions and an Engrossed bill for Laying a publick Levy and also two orders of y^e house of Burg^s for paying Sev^l Sums out of y^e imposition fund to w^{ch} they desire y^e Councils ConcurrenceThe faid two orders were read as followth *Viz**By y^e House of Burg^s**Aug^t 28: 1702**Ordered*That y^e fum of Six hundred [See J. of H. of B., pp. 401-02.]

And

And y^e said two ord^s wth y^e book of proportions being affented to by his Excell^y and y^e hon^{ble} Council

Ordered

That y^e Clk of y^e Gen^l Affembly return y^e said two orders & Book to y^e house of Burg^s and acq^t them that his Excell^y and ye hon^{ble} Council have affented to y^e Same

An Engroffed bill from y^e Burgef^s Ent a bill for raising a publick Levy read and affented to by the hon^{ble} Council

Ordered

That y^e Clk of y^e Gen^l Affembly carry y^e said bill to y^e house of Burgef^s and acq^t them y^t y^e Council have affented thereto without any Amendment

A meffage from y^e house of Burgef^s to y^e Council by M^r Miles Cary & others who brought y^e Inrolled bills paf^t this Seffion to be examined by y^e Council

And after y^e Council had perufed them *Ordered* that y^e Clk of y^e Gen^l Affembly return y^e said bills to y^e house

Ordered

That y^e Clk of y^e Gen^l Affembly go to y^e house of Burg^s and command their immediate attendance upon his Excell^y in y^e Council chamber and that they bring wth them what bills they have for him to pafs

The house attending M^r Speaker Spoke as follows

May it Please y^r Excell^y

In obedience to y^r Excellcy^s commands the Houfe of Burg^s do now attend y^r Excell^y wth fev^l Bills and an Ordinance of Affembly agreed upon this Seffion by the hon^{ble} Council and themselves moft of w^{ch} (metaphorically compared) may be said to be Scions of y^r Excellcy^s fpeeches now grown up into trees adorned wth Sev^l Branches and we hope they have been fo carefully tended by us as to receive y^r Excellcy^s approbacon the titles of them are thefe

An A^{ct} for y^e regulacon and Settle^mt of fferrys and for difpatch of publick Expreffes and for y^e speedy transporting forces over Rivers & Creeks in time of Danger

An a^{ct} for deviding Charles City County

An A^{ct} Prohibiting Seamen being harboured or entertained on Shore

An A^{ct} for laying a Public Levy

And an Ordinance of Affembly for defence of y^e Country in time of danger

Which a^{cts} and Ordinance were all Signed by his Excell^y and M^r Speaker

And then his Excell^y fpoke to this Effect, That he was very glad this Seffion was come to a friendly conclufion recommended to the Burgef^s to preferve peace and concord in their fev^l Countys, and that they would endeavor to promote the Royal College of William and Mary. That he had nothing further, but to thank them in her Matys name for the expreffions of their Loyalty and duty, and to tell them (tho with regret) that he muft Diffolve them, and that accordingly they were diffolved.

True copy Examined ¶

Wil Robertfon Cl Gen Affembly

AT A

GEN^{LL} ASSEMBLY

Summoned to begin at her Matys Royal Colledge of *W^m & Mary* adjoyning to the City of *Williamsburgh* the 19th day of *March* 1702 in the second year of the Reign of our Sovereign Lady *Anne* by the Grace of God of *England Scotland France & Ireland* Queen Defender of the Faith &c and by prorogacon continued & holden on y^e 19th day of y^e fd moneth of *March* 1702

At a Gen^l Affembly Summoned to begin at her Matys Royal Colledge of *W^m & Mary* adjoyning to the City of *Williamsburgh* the 19th day of *March* 1702 in the second year of the Reign of our Sovereign Lady *Anne* by the Grace of God of *England Scotland France & Ireland* Queen Defender of the Faith &c and by prorogacon continued & holden on y^e 19th day of y^e fd moneth of *March* 1702

[*March* 19th, 1702/3.]

Present

HIS Excell^y *Francis Nicholson* Esq^r her Matys Liev^t & Gov^r Gen^l of *Virginia*, *Edmund Jenings*, *John Lightfoot*, *Phillip Ludwell*, *Henry Duke* Esq^{rs}

His Excell^y Signed a Commiffion to *W^m Byrd* *Edm^d Jenings* & *Henery Duke* Esq^{rs} Impowring them or any two of them to adminifter the oaths appointed by Act of Parlim^t to be taken inftead of the oaths of allegiance and Supremacy the Teft and oath of a Burg^s to every elected Member of this Affembly. And accordingly the faid *Edm^d Jenings* and *Henry Duke* Esq^{rs} went to the houle of Burg^s to Adminifter the faid Oaths

William Byrd & *James Blair* Esq^{rs} Present

Edm^d Jenings Esq^r one of the members of the Committee appointed for Revival of the Laws acquainted his Excell^y that y^e faid Comm^{tee} having finifhed the buifness of the Revival had Directed him to lay before his Excell^y the fevⁿ Bills they had Prepared and to pray that his Excell^y would Pleafe to recommend them to the Gen^l Affembly

Ordered that y^e Clk of the Gen^l Affembly go to the Houfe of Burgefles and acquaint them that his Excell^y commands their immediate attendance on him in the Council Chamber

Where being come His Excell^y fpoke as followth

Gent.

I am very glad to fee fo many of you mett the thing I recommend to you is that you returne to yo^r houle and make choife of a Speaker & as Soon as you have done to let me know it

A Meffage from the Houfe of Burg^s to his Excell^y by M^r *W^m Leigh* and others that the houle had made choife of their Speaker and had appointed them to wait on his Excell^y to know his Pleafure when they Shall prefent him

To w^{ch} his Excell^y made Anfwer that he would give them Notice by a Meffage

Liev^t Coll^o *W^m Randolph* late Clk of the houle of Burg^s being elected a Burgefes for *Henerico* County and having by a Letter to his Excell^y defired to be difcharged from his faid office of Clk His Excellcy was Pleafed upon the Petiçon of *Rob^t Beaverly* Gent to Commiffionate him the faid *Rob^t Beaverly* to be Clerk of the houle of Burgefles

A Commiffion being prepared Impowring *W^m Byrd* *Edm^d Jenings* and *Henery Duke* Esq^{rs} to adminifter y^e oaths appointed by act of Parlim^t to be taken inftead of the oaths of allegiance & Supremacy the teft and oath of their refpective offices to the Clk of the houle of Burgefles & Clks of the Committees was Signed by his Excell^y in Council

Rob^t Beaverly Gent Commiffionated by his Excell^y to be Clk of the houle of Burgefles took y^e oaths appointed by act of parlim^t to be taken inftead of the oaths of allegiance

giance and Supremacy Subscribed the test and took y^e oath of Clk of the House of Burg^s w^{ch} was certified as Usual by the Gent Appointed to administer the Same

Ordered

That the Clk of y^e Gen^l Assembly go to the house of Burg^s and acquaint them that his Excell^y hath thought fitt to appoint to Morrow Morning at 8 a Clock for their attending him wth their Speaker

And then the Council Adjourned till to Morrow Morning

Saturday March the 20th 1702

Present

HIS Excellency, *Edmund Jennings, James Blair, Henery Duke Esq^s*
John Gill and Stephen Gill French Refugees took y^e oaths appointed by Act of Parlim^t to be taken instead of the oaths of Allegiance & Supremacy & Subscribed the test in Order to their Naturalization

Jn^o Lightfoot Esq^r Present

In Obedience to his Excell^{ys} appointment The house of Burg^s attended his Excell^y and *Peter Beaverly* of the County of *Glocester* Gent being presented as their Speaker Addressed himself to his Excellcy as followth

May it Please yo^r Excellency.

The Burg^s In Obedience to yo^r Excell^{ys} Commands having proceeded to y^e choice of a Speaker have Ordered me to Serve in that Station Out of the zeal I bear to her Matys Service the good of the Country & the hon^r of my fellow Members it would have been more to my Satisfaction had they been pleased to make choice of an Abler Person for so great a work; but since they have proceeded so far I must Submitt, and Leave it to yo^r Excell^{ys} Approbacon & Allowance

To W^{ch} his Excell^y answered to this effect, S^r the Burg^s making choice of you for their Speaker do fully demonstrate to me that they have a mind to Answer the intent of the writt by w^{ch} they were called I do not doubt but they are very well Satisfied wth yo^r Ability to discharge that Truft, and you have given such testimoneys of yo^r zeal for her Matys & the Countrys Service while you were formerly in the Station that I cannot but approve their choife

Then M^r *Speaker* Ipoke thus

May it Please yo^r Excellency

Since yo^r Excell^y has been pleased to indulge the Burg^s in this Election, duty binds me to become petitioner to yo^r Excell^y in their Behalf, that all the ancient rights and Priviledges of the Burgeffes may be continued to this Assembly. that they and their Serv^{ts} in their Persons and Estates may be free from arrefts & other Disturbances. That in all their debates and Consultacons in their house they may have freedom and Liberty of Speech and as Occasion requires free access unto yo^r Excell^{ys} Person. And because of my own infirmitys I have one favour more to beg of yo^r Excell^y that none of my failings through weakness or inadvertency may redound to y^e Prejudice of the house

Whereupon his Excell^y said that what M^r *Speaker* had desired in behalf of the house he very readily granted & wished it were in his power to inlarge their Priviledges and if they thought there were any other Priviledges necessary for them to have upon representacon thereof to him, he would lay them before her most Sacred Maty and endeavour to obtain them & as to what M^r *Speaker* had desired in behalf of himself he had Such experience of his good conduct in former Sessions that their was no need for his using that Modesty

And then his Excell^y made y^e following Speech

Hon^{ble} Gentlemen

I thank God [See J. of H. of B., 1702/3-1712, pp. 4-5.]

And then the Council Adjourned till *Munday* Morning 8 a Clock—

Munday

Munday March the 22^d 1702

Present

HIS Excellency, *Edmund Jenings, Jn^o Lightfoot, Benj^a Harrison, Rob^t Carter, James Blair, Philip Ludwell, W^m Baffett, Henery Duke Esq^{rs}*
Ordered

That the Clk of the Gen^l Affembly go to the house of Burg^s & Command their immediate attendance on his Excell^{cy} in the Council Chamber.

M^r *Speaker* wth the house attending. his Excell^{cy} was pleased to make the following Speech

Gentlemen

Her Maty hath been [See J. of H. of B., pp. 8-9.]

A meffage to his Excell^{cy} by M^r *Nathaniell Harrison* & others acquainting him that Major *Tho: Swan* being elected a Burgefs for *Surry* County and also a Burgefs for y^e County of *Nanfmond* had made his election to serve for the County of *Nanfmond* and therefore the house had Commanded them to wait on his Excell^{cy} to pray that a New writt may issue for y^e election of a Burg^s to Serve in this present Affembly for y^e said County of *Surry* in the room of the said Major *Swan*

And then y^e Council Adjourned till to Morrow Morning 9 a Clock

Tuesday March y^e 23^d 1702

Present

HIS Excellency, *Edm^d Jenings Sec^{ry}, Benj^a Harrison, James Blair, W^m Baffett and Henery Duke Esq^{rs}*

Paul Harrelson an Alien took y^e Oaths appointed by act of Parlim^t to be taken instead of the oaths of allegiance & Supremacy & Subscribed the Test in Order to his Naturalizaçon

The Peticon of *Paul Harrelson* for Naturalizaçon is referred to y^e Confideraçon of the house of Burgefes

A petition of the *french* Refugees inhabiting at *Manican* town. and also

A petiçon of *John & Stephen Gill French* Refugees for Naturalizaçon being presented to the Council & read

Ordered

That y^e Same be Referred to y^e Confideraçon of the house of Burg^s

A Petiçon of M^{rs} *Mary Rider* praying that y^e keeper of the ferry at *Hog Island* Main may be Prohibited to land his Passengers on her Plantaçon. read and Referred to y^e Confideraçon of the house of Burgefes.

The Peticon & Propofal of *John Holt* for keeping y^e ferry from *Hogg Island* to *Archershope* read. and

Ordered

That y^e Same be referred to y^e Confideraçon of the house of Burg^s

John Lightfoot Matth^w Page, & Rob^t Carter Esq^{rs} present A meffage to y^e Council by *W^m Leigh* & others

May it Please yo^r Hon^{rs}

We are commanded by the house of Burg^s to wait on yo^r hon^{rs} with a Refolve of the house in anſwer to that part of his Excell^{cy}s Speech relating to a day of publick thanksgiving for y^e great & glorious Successes of her Matys Arms by Sea and Land. Wich Refolve is in these words

Tuesday 23^d March 1702

By the House of Burg^s

Ordered

That a Meffage be Sent to y^e Council to acquaint them that this house hath appointed *Thursday* in *Easter* week for a day of Publick Thankfgiving for y^e great and
 Glorious

Glorious Successes of her Matys Arms by Sea and Land and to desire their Concurrence thereto & that if they do Concur they will be Pleased to represent y^e Same to his Excell^y for his Approbaçon

Rob^t Beaverly C H Burg^s

Resolved

That y^e Council do concur wth the house of Burg^s that *thurfday* in *Easter* week be fet apart for a day of Publick Thankfgiving for y^e great and glorious Successes of her Matys Arms by Sea & Land.

Which resolve being Communicated to his Excell^y he was pleased to give his Approbaçon thereto and further to appoint *tuesday* the 4th of *May* for a day of thanksgiving throughout all this Colony

And then y^e Council adjourned till to Morrow Morning 8 a Clock

Wednesday March y^e 24th 1702

Present

HIS Excellency, *Edm^d Jenings Sec^y, Jn^o Lightfoot, Matthew Page, Benj^s Harrison, Rob^t Carter, Jn^o Custis, James Blair, William Baffett & Henery Duke Esq^{rs}*
Ordered

That y^e Clk of y^e Gen^l Affembly carry the following meffage to the house of Burgeffes from the Council

M^r Speaker & Gent of the House of Burgeffes

The hon^{ble} Council haveing [See J. of H. of B., p. 11.]

The Grievance of *King & Queen* County. read. and Referred to the Confideraçon of the house of Burgeffes

The petiçon of *James Minge* praying leave to bring in a bill to enable him to purchase Some Land on *Matchcote* Run for erecting of a Mill. read. and Referred to y^e Confideraçon of the house of Burg^s

The Petiçon of *David Stoner* praying that he may be appointed keeper of y^e prifon now erecting near the Capitol. Read &

Referred to y^e Confideraçon of the house of Burg^s

A petition of *Edw^d Rofs*

A petition of *Thomas Francis*. & alfo

A Petiçon of *John Goodale* all relating to ferrys were Severally read. and Referred to y^e Confideraçon of the house of Burg^s

And then y^e Council adjourned till tomorrow Morning 8 a clock

Thursday March 25th 1703

Present

HIS Excellency, *Jn^o Lightfoot, Matthew Page, Benj^s Harrison, Rob^t Carter, Jn^o Custis, James Blair, W^m Baffett, Henery Duke Esq^{rs}*

The Grievance of *Norfolk & Stafford* Countys. were Severally read and Referred to the Confideraçon of the Houfe of Burg^s

The Petiçon of *Sam^l de Monville* a *French* man for Naturalization. Read and Referred to the Confideraçon of the house of Burgeffes

The Petiçon of *James Adams* Interpretor to y^e *Pamunkey Chickahomeney* and *Nanfatiko* Indians. Praying his ufual Sallarey as Interpreter may be Levied for him, read, and

Referred to the Confideraçon of y^e house of Burg^s

Edm^d Jenings. Philip Ludwell Esq^{rs} Present

Ordered

That y^e Clk of the Gen^l Affembly carry to the house of Burg^s the following Meffage

M^r Speaker & Gent of the house of Burg^s

His Excell^y & the hon^{ble} Council [See J. of H. of B., p. 12.]

A meffage from y^e houle of Burg^s to his Excell^{cy} & Council by M^r *Miles Cary* & others that, y^e houle have agreed to his Excell^{cy} & their Hon^{rs} propofition concerning a Com^{tee} to inſpect the Building of y^e Capitol & have Accordingly appointed Six of their Members to Joine wth the Com^{tee} of y^e Council who are ready to attend at Such time as their Hon^{rs} ſhall appoint

Reſolved

That a Com^{tee} of y^e Council be forthwth appointed to Joine wth y^e Com^{tee} of y^e houle of Burg^s to inſpect y^e building of y^e Capitol

And a Com^{tee} was Accordingly appointed *Viz*

M^r Sec^{ry} *Jenings*, *Matthew Page* & *Benj^a Harrifon* Efq^{rs}

And then y^e Council adjourned till to Morrow Morning 9 a Clock

Friday March 26th 1703

THE Council met & Adjourned till to Morrow Morning

Saturday March 27th 1703

Preſent

HIS Excellency, *Edm^d Jenings* Sec^{ry}, *Benj^a Harrifon*, *Rob^t Carter*, *John Cuſtis*, *James Blair*, *Philip Ludwell* Efq^{rs}

The Petiçon of M^r Sec^{ry} *Jenings* praying y^e direction of Excell^{cy} & Council touching y^e removing the Records of his office. The place appropriated for them in the Capitol not being as yett finiſhed. read. & Referred to y^e Confideraçon of y^e houle of Burg^s

The Petiçon of M^r Sec^{ry} *Jenings* praying allowance for iffuing twenty five writts for Eleçtion of Burg^s for y^e preſent Affembly was read. & Referred to y^e Confideraçon of y^e houle of Burg^s

The Petiçon of *Tho. Blunt* Interpreter to y^e *Nattoway* & *Maherine* Indians praying his Ufual allowance as interpreter may be levied for him. read &

Referred to y^e Confideraçon of y^e houle of Burgeſſes

Ordered

That y^e Clk of y^e Gen^l Affembly carry the following meffage to y^e houle of Burg^s

By his Excell^{cy} & y^e Hon^{ble} Council

M^r Speaker & Gent of y^e houle of Burgeſſes

It being very [See J. of H. of B., p. 13.]

And then y^e Council Adjourned till to Munday Morning 9 a Clock

Munday March y^e 29th 1703

Preſent

HIS Excell^{cy}, *Edm^d Jenings*, *Benj^a Harrifon*, *Rob^t Carter*, *Jn^o Cuſtis*, *James Blair*, *Philip Ludwell* and *henery Duke* Efq^{rs}

The Grievance of *Elizth City* County. read. & Referred to y^e Confideraçon of y^e houle of Burgeſſes

The petiçon of M^r *Chicheley Corbin Thacker* Clk of y^e Sec^{ry} office was read. pray his Ufual allowance for publick ſervices for one Year may be Levied for him

Ordered

That y^e Same be Referred to y^e confideraçon of y^e houle of Burg^s

The

The petition of *Roger Light* was read. praying that he may be appointed keeper of
y^e Capitol

Ordered

That y^e Same be Referred to y^e Confideraçon of y^e house of Burg^s

The petiçon of M^r Sec^y *Jenings* praying y^t it may be declared by whom y^e 50^{lb}
tobb^o allow^d by Act of Affembly for every Military Commiffion fhall be paid. being
read

Ordered

that y^e Same be referred to y^e confideraçon of y^e house of Burgeffes

His Excell^{cy} laid before y^e Council her Ma^{ty}s Letter for a Contribution of money
&c to her province of *New York*. & acquainted them that pursuant to her Ma^{ty}s Com-
mands he recommended that matter to their Confideraçon hoped he need not use many
Argum^{ts} to induce them to comply therewith & therefore expected that before their
Breaking up this nigh they would give him their Refult

And further acquainted them that If y^e Country wants money at present to advance
towards the affiftance of *New York* he will Lend them or if this Affembly Shall not
think fitt to comply wth her Matys Commands for affifting *New York* yet he would
difcharge his duty and advance y^e money himfelf rather than that Service Shall Suffer

Ordered

That y^e Clk of y^e Gen^l Affembly carry y^e following Meffage in writing from his
Excell^{cy} to y^e Houfe of Burgeffes

M^r Speaker & Gent. of the house of Burgeffes

I am heartily Sorry [See J. of H. of B., pp. 14-15.]

Matthew Page Efqr Present

The Council took into Confideraçon what his Excell^{cy} recommended to them in
relaçon to *New York*. and finding it Neceffary to have the advice of all y^e Council therein.
They in regard M^r Auditor *Byrd* is lame & not able to attend here & that Jn^o *Lightfoot*
Efqr is abfent Refolved to defer the further debate thereof till to morrow Morning at
8 a Clock at w^{ch} time they all agreed to meet at M^r Auditors Chambers

And Accordingly the Council adjourned till to Morrow Morning 8 a Clock

March 30th 1703 at M^r Auditor Byrds Chamber in

Williamsburgh

Present

HIS Excellency, W^m Byrd Audit^r, Edm^d Jenings Sec^y, John Lightfoot, Matt: Page,
Benj^o Harrison, Rob^t Carter, Jn^o Custis, James Blair, Philip Ludwel, Henery
Duke Efqr^s

The Council (According to Order) being met to confider of her Matys
Royal Letter for a Contribution of money &c to *New York*. His Excell^{cy} did againe
recommend that matter to their Confideraçon. and put the queftion Whether they will
Comply wth her Matys Commands in granting the 900 pounds: Since their giving their
opinion in that matter before y^e houfe of Burgeffes proceed therein be [he] conceives
will be a means to induce that houfe to a compliance

The Council defired time to draw up an Anfwer to y^e faid Queftion

And Accordingly drew up the Same as follows *Viz*

To w^{ch} queftion we do humbly & unanimoufly make anfwer that we Shall be
always ready to contribute to y^e uttmof of our power for her Matys Service either as
Council to her Maty. or as we are part of y^e Gen^l Affembly

That Accordingly fo foon as yo^r Excell^{cy} communicated to us her Maty's gracious
Lett^r relating to *New York*. we advifed that a Gen^l Affembly fhould be called wth all
Poffible Expedition

That after y^e faid Affembly had met we heartly Joined wth yo^r Excell^{cy} in recom-
mending y^e faid Letter to y^e Serious & Mature deliberaçon of y^e houfe of Burgeffes

That

That y^e said house being poffest of y^e said Letter for near a fort night & as we Suppose almost ready to come to a Resolution; We humbly conceive that in all Grants of money. for y^e Council to declare their Opinion before y^e house of Burgeffes give their Answer ab^t them is contrary to the practice & proceedings of Affemblys & we are doubtfull might beget a Misunderstanding in the said house being tender of their priviledges and by consequence might prove prejudicial to her Matys Service in Gen^l. & to y^e good management of this affair in particular. And therefore wth Submissiō are unwilling to declare our previous Assent or Dissent to y^e Resolutions of the house in this matter.

His Excell^{cy} then acquainted y^e Council that Since he found they disagreed in the Main to his recommending her Matys Commands to y^e house of Burgeffes upon y^e Terms proposed in his former question he now put this question to them whether they as a Council or as a Council in Assembly Judge it for her Matys Service to use their endeavours to perswade the house of Burgeffes to a compliance either by Message conference or Such other way as they Shall think proper.

To w^{ch} the Council humbly make answer that we Shall be very ready to do her Maty the best Service that lyes in our Power by Messages conferences or any other way that may be thought proper in due time. As occasion Shall be given from y^e proceedings of the house of Burgeffes

His Excell^{cy} desired the Opinion of y^e Council whether it be proper for him to move any further to y^e house of Burgeffes either by Speech or Message in Relation to her Matys Royal Commands for Assittance to *New York*.

To w^{ch} the Council humbly make Answer That we know nothing at Present that is wanting on his Excell^{cy}s part in relacōn to her Matys Commands for assittance to *New York*; but if any thing Occurr to his Excell^{cy} for promoting that Service we shall be ready to give our Opinions therein as often as his Excell^{cy} shall think fitt to require the Same.

And then y^e Council adjourned to y^e Council Chamber

Where being Accordingly met

The Councils answers to his Excell^{cy}s Questions were read, and Thereupon his Excell^{cy} declared. That as to what y^e Council say in their Answer to y^e first question *Viz* "That in all Grants of money for the Council to declare their Opinion before y^e house of Burgeffes give their Answer ab^t them is Contrary to y^e practice & proceedings of Affemblys: His Excell^{cy} cannot allow any prescription in this Country: nor any Prefid^t or Custom to take place contrary to the prerogative: but if prefid^t could be admitted; Yet it cannot be made appear that ever there was a parralel Case to this

Then his Excell^{cy} communicated to y^e Council two Letters from his Excell^{cy} the Lord Viscount *Cornbury* Govern^r of *New York* dated y^e 11th June & 19th November last which he intended to lay before y^e house of Burgeffes & at y^e same time to acquaint the house that if y^e Country cannot at present advance the money he will lend them so much without Interest

A message to his Excell^{cy} by M^r *Miles Cary* & others that they were Commanded by the house of Burgeffes to present his Excell^{cy} wth y^e Resolve of their house in Answer to his Excell^{cy}s message of yesterday Which Resolve is in these words

Tuesday 30th March 1703

By the house of Burgeffes

Resolved

That it doth appear to y^e house that y^e Last house of Burgeffes did refuse to give the Nine hundred Pounds to *New York*. not because y^e Govern^r was proposer of it but for other reasons at large enumerated in y^e Journal of y^e said house. And that the Report mentioned in his Excell^{cy}s written Message of yesterday is a false Scandalous and Malicious Report

R Beaverly Cl H. Burgeffes

Ordered

That y^e Clk of y^e Gen^l Assembly carry the following Message to y^e house of Burgeffes from his Excell^{cy}

M^r

M^r Speaker & Gent of y^e house of Burgeffes

I herewth Send you [See J. of H. of B., p. 16.]

A meffage from y^e houle of Burgeffes to y^e Council by M^r *Benj^s Harrison* & others who brought the following Refolve

Tuesday the 30th March 1703

By the house of Burgeffes

Resolved nemine Contradicente

That this Country is not of ability to comply wth her Matys Commands in contributing the Sum of Nine hundred Pounds required for *New York*.

Ordered

That a Meffage be sent to the Council to desire their concurrence to this Refolve, And that if they concur they will be pleased to Joine in a Committee wth the Burgeffes to Consider of the best methods to represent our Circumstances of inability to her Ma^{ty} a true copy

Test R Beverly Cl H Burg^s

Ordered

That the Confideraçon of y^e Refolve of y^e houle of Burg^s Juft now Sent, be Referred till to Morrow Morning

His Excellency acquainted the Council that Since y^e houle of Burg^s have put y^e matter upon this iffue, that y^e Country is not of ability to contribute the 900^{li} to *New York*, The Council will do well to confider the State of y^e Country & to enquire into the Publick Aco^{ts}, for y^e his Excell^{cy} is Satisfied there is nigh half of that Money now in Bank, after deduction of all debts that Fund is now Charged wth & as for y^e remainder his Excell^{cy} will advance it, or if Neceffary the whole upon the credit of thofe imposition Acts now in force and if They Shall prove deficient will bear y^e Lofs himfelf

Then y^e Council adjourned till to morrow morning 8 a clock—

Wednesday March 31st 1703

Present

HIS Excellency, *Edm^d Jenings, John Lightfoot, Matthew: Page, Rob^t Carter, Jn^r Custis, James Blair, Philip Ludwell, W^m Baffett, Henery Duke Esq^{rs}*

The petiçon of M^r Secretary *Jenings* praying allowance for iffuing a new Writt for y^e Election of a Burgefs in *Surry County* in the Room of Major *Tho: Swan*. read &

Referred to y^e Confideraçon of y^e houle of Burgeffes

The peticon of *Jn^o Redwood* praying that he may be appointed keeper of y^e Capitol, Read &

Referred to y^e Confideraçon of y^e houle of Burgeffes

Ordered

That y^e Clk of y^e Gen^{ll} Affembly carry y^e following meffage from his Excell^{cy} to the houle of Burgeffes

M^r Speaker & Gent of y^e house of Burgeffes

I give you [See J. of H. of B., pp. 16-17.]

The Council (according to order took) into Confideraçon y^e refolve of y^e houle of Burgeffes of yesterdays date relating to her Matys Commands for a Contribution of money to *New York*. And thereupon

Ordered

That y^e Clk of y^e Gen^{ll} Affembly carry the following meffage to y^e houle of Burgeffes

M^r Speaker & Gent of y^e house of Burgeffes

The Council having [See J. of H. of B., p. 18.]

Resolved

That M^r Secretary, *Rob^t Carter, Jno Custis & James Blair Esq^{rs}* be appointed to manage y^e Conference wth the Burg^s in relation to their Refolve, that this Country is not of Ability to contribute the 900 pounds required for *New York*

A Message to the Council from y^e house of Burg^s by Mr *Benj^a Harrison* & others y^t the house had Commanded them to wait on their Hon^{rs} & to present the following Resolve in Answer to their Hon^{rs} Message Concerning a Conference.

Wednesday March 31st 1703

By y^e house of Burgeffes

Resolved nemine Contradicente

That this house will not agree to y^e Conference desired by the Council in their message of this day upon y^e Resolve of this house concerning the Nine hundred Pounds required for *New York* untill y^e Council return the said Resolve wth their Concurrence or disagreement thereto.

R. Beaverly Cl H. Burgeffes

Benj^a Harrison Esq^r Present

Ordered

That y^e Clk of y^e Gen^l Assembly carry y^e following message to y^e house of Burgeffes.

By the Council

M^r Speaker & Gent. of y^e house of Burgeffes

In answer [See J. of H. of B., p. 18.]

And then y^e Council Adjourned till to Morrow Morning 8 a Clock

Thursday April 1st 1703

Present y^e Same as yesterday

THE Council being informed y^t the House of Burgeffes were adjourned till to Morrow They for y^e better Observa^{cion} of y^e Publick Thanksgiving appointed to be this day kept for y^e great & glorious Successes of her Matys Arms by Land & Sea

Adjourned till to Morrow 10 a clock in y^e forenoon

Friday April 2^d 1703

Present

HIS Excellency, *Edm^d Jenings, Jn^o Lightfoot, Matt: Page, Benj^a Harrison, Rob^t Carter, Jn^o Custis, James Blair, Philip Ludwel, W^m Baffett, Henery Duke Esq^{rs}*

A message to y^e Council by Mr *W^m Leigh* & others y^t y^e house of Burgeffes had commanded them to wait on their Hon^{rs} wth an Answer to their last Message Infirting on a Conference in relation to y^e Nine hundred Pounds required for *New York*. w^{ch} Answer is in these words

By the house of Burgeffes

May it Please y^r Hon^{rs}

In Answer [See J. of H. of B., pp. 19-20.]

Ordered

That *Rob^t Carter Jn^o Custis & James Blair Esq^r* be appointed a Com^{tee} to draw up & prepare an Answer to the above Resolve of the Burgeffes

And Then the Council Adjourned till to Morrow Morning 9 a Clock

Saturday April 3^d 1703

Present

HIS Excellency, *Edm^d Jenings Sec^{ry}, Jn^o Lightfoot, Matt. Page, Benj^a Harrison, Jn^o Custis, Ja: Blair, Philip Ludwel, W^m Baffett, Henery Duke Esq^{rs}*

Jn^o Custis Esq^r from the Com^{tee} appointed to prepare an Answer to the last Resolve of the house of Burgeffes denying a Conference in rela^{cion} to *New York* Reported that they had made Some progress therein. but being twice sent for by his Excell^{cy} upon urgent business they could not finish the Same

Ordered that the 1st answer be prepared & Reported on *tuesday* morning next

And then y^e Council Adjourned till *Munday* Morning 9 a Clock

Munday

Munday April 5th 1703

Present

HIS Excellencie, *Edm^d Jenings Sec^{ry}, Jn^o Lightfoot, Jn^o Custis, James Blair and Philip Ludwel Esq^{rs}*
Ordered

That y^e Clk of y^e Gen^l Affembly carry the following meffage in writing from his Excell^{cy} to the houle of Burgeffes

M^r Speaker & Gent. of the houle of Burgeffes

If you now go [See J. of H. of B., pp. 22-23.]

A meffage to his Excell^{cy} by M^r *W^m Leigh* & others That y^e Houfe of Burgeffes had commanded them to wait on his Excell^{cy} with an Anfwer to his Excell^{ys} meffage of this day. W^{ch} is in thefe words

*Munday 5th April 1703**By the houle of Burgeffes**May it Pleafe yor Excellency*

In Anfwer [See J. of H. of B., p. 23.]

Refolved

That *Edmund Jenings Matth: Page & Benj^s Harrifon* Esq^{rs} be appointed a Com^{tee} to Joine wth the Com^{tee} of the houle of Burgeffes to confider of the beft Method for carrying on the Buifnefs of the Affembly and Gen^l Court wth the greateft eafe and Convenience

And the Council adjourned till to Morrow Morning 8 a Clock

Tuesday April 6th 1703

Present

HIS Excell^{cy}, *Edm^d Jenings Sec^{ry}, Jn^o Lightfoot, Matthew Page, Benj^s Harrifon, Jn^o Custis, James Blair, Philip Ludwel, W^m Baffett Esq^{rs}*
Ordered

That the Clk of y^e Gen^l Affembly acq^t the houle of Burgeffes that the Council have appointed three of their Members to Joine wth y^e Com^{tee} of the houle of Burgeffes to Confider of y^e beft methods for Carrying on the buifnefs of the Affembly & Gen^l Court wth y^e greateft eafe & Conveniencie

Ordered

That the Clk of y^e Gen^l Affembly go to the houle of Burgeffes and acq^t them that his Excell^{cy} commands their immediate attendance on him in y^e Council Chamber

The houle being come his Excell^{cy} was pleased to fay as followth

M^r Speaker & Gent of the houle of Burgeffes

I Pray God Almighty [See J. of H. of B., pp. 23-24.]

Henery Duke Esq^r Present

A meffage from y^e houle of Burgeffes to y^e Council by M^r *Miles Cary* & others acquainting their hon^{rs} that the houle had appointed Six of their Members to Joine wth y^e Com^{tee} of y^e Council for confidering of the beft Method for carrying on the Buifnefs of y^e G^l Affembly & Gen^l Court wth the greateft eafe & Conveniencie & that they were ready to attend their hon^{rs} at Such time & place as they fhall think fitt to Appoint

Refolved

That the Report of y^e Com^{tee} appointed to draw up an Anfwer to the Laft Meffage of y^e houle of Burgeffes denying a Conference on y^e Buifnefs of *New York* be by Reafon of y^e abfence of *Rob^t Carter* Esq^r one of y^e Members of y^e faid Com^{tee} Referred till to morrow morning

And then y^e Council adjourned till to Morrow Morning 8 a Clock

Wednesday

Wednesday April 7th 1703

Present

HIS Excellency, *Edm^d Jennings Sec^{ry}, Jn^o Lightfoot, Matthew Page, Benj^a Harrison, Jn^o Custis, James Blair, Philip Ludwel, W^m Baffett & Henery Duke Esq^{rs}*
Jn^o Custis Esq^r from y^e Com^{tee} appointed to draw up an Answer to y^e laft Message of y^e house of Burgeffes denying a Conference on the Buifness of *New York* reported y^e Resolutions they had come to thereon w^{ch} were read at the table & wth some amendm^t agreed to by the Council and thereupon

Ordered

That y^e Clk of y^e Gen^l Affembly carry the following message to the house of Burgeffes.

*By the Council**M^r Speaker & Gent. of the house of Burgeffes*

In Answer to y^r message [See J. of H. of B., p. 25.]

A message from the house of Burgeffes to his Excell^{cy} by M^r *Benj^a Harrison & others*
May it Please y^r Excellency

The house of Burgeffes having prepared an Address to yo^r Excellency have commanded me to wait on y^r Excell^{cy} to know what time y^r Excell^{cy} will please to appoint for their attendance wth the said Address to be by them presented to y^r Excell^{cy}

To w^{ch} his Excell^{cy} Answered that he might acq^t the house to come now if they Pleased.

And Accordingly the house attending M^r *Speaker*. read & then delivered to his Excellency the following Address

To his Excellency Francis Nicholson Esq^r her Matys Liev^t & Govern^r Gen^l of Virginia

May it please y^r Excellency

We her Matys Loyal [See J. of H. of B., p. 26.]

Whereupon his Excellency was pleased to Speak to the house to this effect that he would Consider of their address & give them an Answer to morrow but must recommend to them to give him an Acc^t what they had done Since their meeting for untill he knew that he believed they themselves would not think it reasonable that he should give them leave to adjourn

Then the Burgeffes withdrew

The Council adjourned till to Morrow Morning 8 a Clock

Thursday April 8th 1703

Present

HIS Excellency, *Edm^d Jennings Sec^{ry}, Jn^o Lightfoot, Matthew Page, Benj^a Harrison, Rob^t Carter, Jn^o Custis, James Blair, Philip Ludwell, W^m Baffett & Henery Duke Esq^{rs}*

A message to his Excell^{cy} by M^r *W^m Leigh & others*

May it Please y^r Excellency

We are commanded by the house of Burg^s to wait on y^r Excell^{cy}, and to request yo^r Ex^{cy} to signify yo^r pleasure when the house shall attend you to present an Address

To w^{ch} his Excell^{cy} made answer now if they pleased

The house of Burgeffes being come into the Council Chamber M^r *Speaker* read & then delivered to his Excell^{cy} the following Address

To his Excell^{cy} Francis Nicholson Esq^r her Matys Liev^t & Govern^r Gen^l of Virginia

May it Please y^r Excellency

We her Matys Loyal [See J. of H. of B., pp. 27-28.]

Whereupon

Whereupon his Excell^y was pleased to acquit the house to this effect

Gent

As to y^r Address of yesterday I have laid y^e Same before her Matys hon^{ble} Council & we have come to Some Resolutions thereon which Shall be sent you & as to this address I shall Likewise lay it before the Council & if any further Occasion shall send to you

Ordered

That the Clk of y^e Gen^l Assembly carry to the house of Burg^s the proceedings of his Excell^y & Council of this day upon the address of the house delivered Yesterday desiring a Reces together with the following written message from his Excell^y

Mr Speaker & Gent of the house of Burgeffes

The Ordinance past last Session of Assembly for [See J. of H. of B., pp. 28-29.]

And then y^e Council adjourned till to Morrow Morning 9 a Clock

Friday April 9th 1703

Present

HIS Excellency, *Edm^d Jennings Sec^y, Jn^o Lightfoot, Matthew Page, Benj^s Harrison, Rob^t Carter, Jn^o Custis, James Blair, Philip Ludwel, W^m Bassett, Henery Duke Esq^{rs}*

Mr Sec^y *Jennings* from y^e Com^{tee} of the Council & Burg^s appointed to inspect the building of the Capitol Reported the Sev^l Resolutions they had come to in that matter w^{ch} he read in his place & afterwards delivered in at the Table where the Same were agreed to by the Council wth an Amendm^t w^{ch} they Ordered to be inserted in the said Report & is as follows *Viz*

By the Com^{tee} of Council & Burgeffes appointed to inspect the building of the Capitol & Prison

Agreed

That the overfeer [See J. of H. of B., pp. 29-30.]

*Vpon Considera^{on} of the Peti^{on} of Mr Sec^y *Jennings* concerning Removing the Records & papers belonging to the Sec^{ys} office to the Capitol be Referred to this Com^{tee}, they are of Opinion in regard the Place Appropriated for that use is not finished nor any ways as yet made Convenient to Receive them that they remaine here [where] they now are til Such time as the Same be finished or made Sufficient to secure them from danger

Vpon Considera^{on} of the Peti^{ons} of Sev^l Persons to be Goal keeper of y^e Country Prison & to look after & take care of y^e Capitol & the furniture &c belonging to it when they Shall be finished It is the Opinion of the Com^{tee} that *Jn^o Redwood* is the most fit person of them to be employed in that service & thereupon proposed that thirty Pounds p^{a} *Annum* be the allowance given to those that Shall hereafter be employed therein first entring into bond wth good Security for y^e due & faithfull p^{a} formance of what Shall be thought Reasonable to Enjoine & Oblige them to

This Com^{tee} conceiving that the Com^{tee} appointed to Revise the Laws & also inspect the Building of y^e Capitol have finished the said Revival it is proposed that fitting persons be Nominated & appointed to inspect the said Building til they be finished & to Receive the Acc^{ts} of disbur^{ftm}^{ts} & order the money for that use & that the said Persons So appointed meet at the said Capitol as often as Shall be directed or Necessity Shall require

Thursday April y^e 8th 1703

Ordered

That the Clk of the Gen^l Assembly carry the said Report to the house of Burgeffes & acquit them that the Council haue agreed thereto wth an Amendm^t w^{ch} they haue inserted in the said Report

A

* The substance of this and of the two following paragraphs is given in the report of the joint committee as printed in the "Journals of the House of Burgeffes," but the wording is different.

A Petiçon of the Inhabitants of *Cople Parish* in *Westmoreland County* being read
Ordered

That the Same be referred to the Confideraçon of the house of Burg^s

Ordered

That the Clk of y^e Gen^l Affembly carry to the house of Burgeffes the following meffage in Writing from his Excell^y

M^r Speaker & Gent of the house of Burgeffes

Having formerly [See J. of H. of B., p. 32.]

His Excell^y laid before y^e Council her Matys Royal Letter relating to the Quota of men & money required by her Maty for the affistance of *New York* & acquainted them that Since the house of Burgeffes had now given their answ^r on y^e said Letter he recommended to the Council as the Upper house of Affembly to confider of her Matys f^d Commands & give him their answ^r thereon

Whereupon the Council took y^e Same immediatly into Confideraçon and a debate arising the question was put whether the Council fhall make their Answ^r by an Addres to her Maty directly or by an Addres to his Excell^y wth a request to him to represent their Cafe to her Maty It was thereupon

Resolved

That an humble Addres be Prepared to her most Sacred Maty in Answ^r to her Matys Royal Letter

Ordered

That M^r Sec^y *Jenings Rob^t Carter & James Blair Esq^{rs}* do prepare the f^d Addres

A meffage to his Excell^y by M^r *Miles Cary* & others that they were Commanded by the house of Burg^s to present his Excell^y the following Resolves in answ^r to his Excell^ys meffage of Yesterday

Friday 9 April 1703

By the house of Burgeffes

Resolved

That it is the Opinion of this house that the Ordinance made the last Sess^{ion} of Affembly for the defence of the Country in time of danger is a Sufficient provision for y^e defence of this Country on any Such Occasion untill there Shall be a Sess^{ion} of Affembly

R. Beverley Cl H Burgeffes

Friday April 9th 1703

By the house of Burgeffes

Ordered

That it be an instruction to the Com^{tee} appointed to prepare the Addres to her Maty to insert a Clause in the said Addres to exp^{re}s our Sensible Joy for the great & glorious Succes^{ses} of her Matys Arms by Sea & Land

R. Beaverley Cl H Burg^s

M^r *Cary* also presented the following Resolves of the Burg^s in Answ^r to his Excell^ys meffage of this day recommending to the house Sev^l matters omitt^d to be Answ^red in their Addres w^{ch} Resolves are as followth

Friday 9th April 1703

By the house of Burgeffes

Resolved

That it is the Opinion of this house not to Concern themselves with the College Acc^{ts}

Resolved

That when the Revival is proceeded in will be a Convenient time to take into Confideraçon the Settling Suitable Sallarys & fees to the respective Officers for y^e Encouragm^t of the Natives of this Country

Resolved

That this house hath nothing to recommend to his Excell^y upon his going to *New York*

Resolved

Resolved

That it is the Opinion of this house that the Lds Com^{rs} for trade do not mean that this house Shall Provide a copy of the Laws in force to be Sent to them. but Expect it from his Excell^{cy} & that his Excell^{cy} may do it without the house being Concerned therein

Ordered

That a Copy of the said Resolves be Sent to his Excell^{cy} as an Answer to his Message of this day

A message to the Council by Mr Cary & others who brought the Resolves of the house of Burg^s for paying the Gentlemen of the Com^{tee} appointed to Revise the Laws to w^{ch} they desire their Hon^{rs} Concurrence.

And the f^d Resolves were read and Affented to by the Council

Ordered

That the Clk of the Gen^l Assembly return the f^d Resolves to the house of Burg^s & acq^t them that the Council haue affented thereto

Then the Resolve of the house of Burg^s touching the defence of the Country being read

Resolved

That the Council do concur wth the Burg^s that the Ordinance made the last Session of Assembly for defence of the Country in time of danger is a Sufficient provision for the defence of this Country on any Such Occasion until there Shall be a Session of Assembly

And then his Excell^{cy} was also pleased to give his assent to the f^d Resolve by Signing the Same

A message from the house of Burg^s to the Council by Mr W^m Leigh & others that the house had commanded them to wait on their Hon^{rs} & to present the following Resolve to w^{ch} they desire their Hon^{rs} Concurrence

Friday 9 April 1703

By the house of Burgeffes

The Com^{tee} for Revival of the Laws to whom it was referred to inspect & oversee the building of the Capitol & prison having finished the said Revival & that by means thereof it ceases to be any longer a Com^{tee}

Resolved

That it is y^e Opinion of this house that a Joint Com^{tee} of the Council & Burgeffes be appointed to Execute the Same trust for carrying on the Building of the Capitol & Prison that was formerly Vested in the Com^{tee} appointed to revise the Laws

R Beverly Cl H Burg^s

Resolved

That the Council do Concur wth the house of Burgeffes that a Joint Com^{tee} of Council & Burgeffes be appointed to execute to y^e Same trust for carrying on the Building of the Capitol & Prison that was formerly Vested in the Com^{tee} appointed to revise the Laws

Ordered

That Mr Sec^{ry} Jenings be appointed of the said Com^{tee} on the behalf of the Council

Ordered

That the Clk of y^e Gen^l Assembly carry the said Resolve to the House of Burg^s & acq^t them of the Councils Concurrence thereto

A message from the house of Burgeffes to the Council by Mr W^m Leigh & others acquainting their hon^{rs} that the house had appointed Mr Tho: Barber & Mr Tho Ballard to join wth the hon^{ble} Mr Sec^{ry} Jenings as a Com^{tee} for carrying on the Building of the Capitol & Prison

And then y^e Council adjourned till to Morrow Morning 9 a Clock

Saturday

Saturday April 10th 1703

Present

HIS Excellency, *Edm^d Jenings, Matthew Page, Benj^s Harrison, James Blair, Philip Ludwel, W^m Bassett and Henery Duke Esq^s*

Ordered

That the Clk of the Gen^l Assembly carry the following message to the house of Burgeffes

By the Council

Mr Speaker & Gent of the house of Burgeffes

His Excell^{cy} Signifying [See J. of H. of B., p. 34.]

A message to the Council by Mr *Charles Ashton & Mr Henery Ashton* who brought the Resolves of the house of Burg^s on the Peti^{on} of the Inhabitants of *Cople Parish* to w^{ch} they desired their Hon^{rs} Concurrence.

And the f^d Resolves were read & assented to by the Council

Ordered

That the Clk of y^e Gen^l Assembly carry the said Resolves to the house of Burg^s & acq^t them that y^e Council haue assented thereto

A message from the Burg^s to the Council by Mr *Miles Cary & others* who brought the following Resolve in answer to their hon^{rs} message of this day

By the house of Burgeffes

Resolved & Accordingly Ordered

That *Edm^d Jenings Esq^r Mr Tho. Barber & Mr Tho Ballard* or any two of them be appointed & impowred to execute the Same trust for carrying on the Building of the Capitol & prifon that was formerly Vested in the Com^{tee} appointed to revise the Laws

R Beverly Cl H Burgeffes

And the f^d Resolve being read was assented to by the hon^{ble} Council

And then his Excell^{cy} was pleased to Sign his assent to y^e Same

Ordered

That the Clk of the Gen^l Assembly return the said Resolve to the house of Burg^s & acq^t them that his Excell^{cy} & the Council haue assented thereto.—

W^m Byrd J. Lightfoot Rob^t Carter & Jn^o Custis Esq^r Present

A message to the Council by Mr *Rich^d Bland & others* who brought Mr *Treasurers* Acc^{ts} past by the house & desire their Hon^{rs} Concurrence thereto

Resolved that y^e f^d Acc^{ts} be assented to by the Council

And then his Excell^{cy} Signed his assent to the f^d Accompt^s

A message from y^e house of Burg^s to his Excell^{cy} by Mr *W^m Leigh & others* that the house had Commanded them to wait on his Excell^{cy} to know his pleasure when the house shall attend him wth an addrefs to her most Sacred Maty & also wth an Addrefs to his Excell^{cy}

Upon w^{ch} his Excell^{cy} told them that he would Send to the house

A message to the Council from the house of Burg^s by Mr *Miles Cary & others* who brought a Resolve of the house that the Sev^l allowances to the Members Clk & assitants of the Com^{tee} appointed to revise the Laws be p^d out of the Imposition Funds to w^{ch} they desire y^e Councils Concurrence.

Resolved

That y^e Council do assent to the above Resolve of the house of Burg^s

And then his Excell^{cy} Signed his assent to y^e Same & it was afterwards delivered back to y^e Messengers who bro^t it

Mr *Cary* presented to his Excell^{cy} the Report of the Com^{tee} appointed to inspect the Building of the Capitol agreed to by the hon^{ble} Council & the house of Burg^s & prayed his Excell^{cy}s assent thereto

And Accordingly his Excell^{cy} was pleased to Sign his assent to the said Report

The

The Gent appointed to prepare an humble Address to her most Sacred Maty in answer to her Majesty's gracious Letter relating to a Quota of men & money to *New York* Reported that they had Accordingly prepared y^e Same & then the 1^d Address being delivered in at the Table was read Amended & Signed by all y^e Council & is as followth

To the Queens most Excell^t Majesty

May it please y^r Majesty

We the Council of y^r Majesty's Colony & Dominion of *Virg^a* after due perusal & Serious Consideration of your Matys gracious Letter Signifying yo^r Royal pleasure concerning a Voluntary Contribution of a Quota of men & money for *New York* laid before us by his Excell^{cy} *Francis Nicholson* Esq^r y^r Matys Liev^t & Govern^r Gen^l of this Colony & Dominion being Extreemely concerned that our Answer to the like demand made by y^r Matys Royal Brother W^m the 3^d of blessed Memory contained in our Petition of O^obo^r y^e 1st 1701 did not give y^r Maty the Expected Satisfaction, but that our Management of that affair was disallowed by the Lords of the Council for trade & Plantations. Humbly beg leave in the most dutifull manner to lay before y^r Majesty our answers to those particulars wherein by the advice of the said Lords we find yo^r Majesty disapproves our Conduct in that Petition together wth an Acc^t of our late endeavours to Comply wth y^r Majesty's commands in the said Letter as far as is within the reach of our Station and Province

Whereas in the first place we are charged as having made our application to Y^r Matys Royal Brother in an irregular manner by an Agent of our Own without the Consent of your Govern^r We humbly offer to y^r Matys Consideration that as we were altogether free from any ill design in this Method so we Never heard before that any Such Rule had been Sett limitting the Addressees of Subjects in the Plantations to their Sovereign to be made Only by the consent & through the hands of their Govern^{rs} & in this particular case our Govern^r had Signified so much of his disapprobation of the proceedings of the Gen^l Assembly on Acc^t of the said Address that we judged it would have been improper to have desired or expected his mediation or Concurrence therein But now that we know y^r Matys Pleasure we shall take care in this & all other Applications to y^r Majesty to observe the said Rule as to presenting our Petitions

In y^e Next place it is observed of the said Petition w^{ch} was presented to y^r Majesty in the Name of the Council & Burgeesses of *Virg^a* that it was signed by no more then four of the Members of the said Council But to this we humbly offer to y^r Matys Consideration that it often happens by reason of Sicknes & the very remote & distant habitations of many of the Members of your Council the badness of weather & the Unpassableness of great Rivers & Bays at certain Seasons that we are Obliged to act wth very Small numbers & particularly at that time there being but a thin Council before the late Nomination & these reduced to many inconveniencies by a tedious absence from home during a very long Session of Assembly Sev^l of them had repaired to their homes to look after their Buiness w^{ch} Suffered exceedingly by so long absence by w^{ch} means it came to pass that there were no more of the Council left but those few who Subscribed the said Petition the rest who went away before it was finished having been consenting while they staid to the Sev^l Resolves that had been made abo^t it, so that it was really an Unanimous consent of the Council, tho Signed only by those four who gave their attendance to the last.

Besides the Objections ag^t the manner of presenting the 1^d Petition the reasons for excusing our Selves from the aforefaid Contribution are excepted ag^t as insufficient. To w^{ch} all we have to offer is that tho we were then & still are of the Opinion (wth Submission to the better Judgm^{ts} of the Lords of Council for trade & Plantations) that the reasons laid down in the said Petition were very Sufficient to Justifie the Proceedings of that Assembly wth relation to a Contribution of men & money for *New York* yet so great is the deference we have for y^r Matys Recommendation of that affair to the present Gen^l Assembly that tho the said Reasons seem to us to be still in full force. We have
taken

taken no Notice of them but used our best endeavours consistent wth the methods of Assembly to further the intent of yo^r Matys gracious Letter wth the house of Burg^s & to take some good method wth y^e said house for y^r Matys Satisfaction

And therefore we doubt not y^r Majesty's candid Construction of our Proceedings w^{ch} tho ineffectual to overcome the General dissatisfactions of the Country & their Representatives in this affair of *New York*. Yett we think it our duty to assure y^r Majesty that you reign entirely in the hearts of yo^r Virg^a Subjects & that there are none in all your Dominions better affected to y^r Majesty's Person & Governm^t than they are.

And upon this Occasion we humbly take leave to Congratulate the wonderfull Success of y^r Majesty's forces by Sea & Land in this last Summers Expedition and to pray to Almighty God that y^e remaining part of yo^r auspicious Reign may answer so glorious a begining to y^r Majesty's immortal Hon^r & the happiness of all yo^r Subjects & allies.—

An Address from the Council to his Excell^{cy} to pray his favour in transmitting the Councils Address to her most Sacred Majesty was read approved & Signed by the whole Council & presented to his Exc^{ly} in these words

To his Excell^{cy} Francis Nicholson Esq^r her Matys Liev^t & Govern^r Gen^l of Virg^a

May it Please y^r Excell^{cy}

The Council having Unanimously agreed upon an Answer to her Matys gracious lett^r concerning a Contribution of men & money for *New York* Pray y^r Excell^{cy}'s favour in transmitting & furthering y^e Same to her Royal hands according to a Rule Lately Sett that all addressees of Subjects in the Plantacons to their Sovereigns be Sent by the hands of their Govern^{rs} wth w^{ch} we readily Comply as being her Matys most Loyal & Dutifull Subjects & y^r Excell^{cy}'s most hum^{ble} Serv^{ts}

Whereupon his Excell^{cy} was pleased to say to y^e Council to this effect that tho he could not Approve of their address to her Maty in that affair of *New York*. Yet because it was her Matys commands he would take care to transmit it to her Majesty

Ordered

That y^e Clk of y^e Gen^l Assembly go to the house of Burg^s & Command their immediate attendance on his Excell^{cy} in the Council Chamber.

The house being come Mr *Speaker* read & then presented to his Excell^{cy} the following Address

To his Excell^{cy} Francis Nicholson Esq^r her Matys Liev^t & Govern^r Gen^l of Virg^a

The hum^{ble} Address of the house of Burg^s

May it Please y^r Excellency

We her Matys Loyal [See J. of H. of B., p. 35.]

And then the address of the house of Burg^s to her most Sacred Majesty was read & delivered to his Excell^{cy}

And thereupon his Excell^{cy} spoke to the house to this effect
Gent

I do in her Matys Name thank you for y^e first part of y^r address congratulating the great & glorious Successes of her Matys Arms by Sea & Land. As to the other part relating to *New York*. I hope you will not expect that I should say much to mitigate it to her Maty: you have said as much as can well be on that Subject & because tis her Ma^{ty}'s commands I shall take care to have it presented to her Royal hands

Gent

I hear it has been represented in yo^r house as if I was disaffected to this Country. *Gent*. I wish all that ever I have writt into *England* were now lying here. And whenever I cease to discharge my duty to God, to her Maty & to do all the good I can to this Country may I cease to be alive. I should be ingratefull If I did not return you my hearty thanks for y^r Sev^l respects to me this Assembly concerning what was done in y^r house particularly for yo^r kind & obliging Addressees

I find it for her Matys Service to prorogue you to the 15th of *October* next & Accordingly this Gen^l Assembly is prorogued to y^e 15th day of *October* next

AT A

GENERAL ASSEMBLY

Summoned to meet at her Matys Royal College of *William & Mary* adjoining to the City of *Williamsburgh* the Seventeenth & begun the 19th day of *March* 1702 in the Second year of the Reign of our Sovereign Lady *Anne* by the grace of God of *England Scotland France & Ireland* Queen Defender of the faith &c and thence continued by several prorogations to the 20th day of *April* 1704 in the third year of her Matys Reign

At a General Assembly Summoned to meet at her Matys
Royal College of *William & Mary* adjoining to the City of
Williamsburgh the Seventeenth & begun the 19th day of
March 1702 in the Second year of the Reign of our Sovereign
Lady *Anne* by the grace of God of *England Scotland France*
& *Ireland* Queen Defender of the faith &c and thence con-
tinued by several prorogations to the 20th day of *April*
1704 in the third year of her Matys Reign

[*April* 20th, 1704.]

Present

HIS Excell^{cy} *Francis Nicholson* Esq^r her Maties^{ties} Liev^t and Governo^r General of
Virginia, *John Lightfoot*, *Benj^a Harrifon*, *Robert Carter*, *Philip Ludwell*,
W^m Baffett, *John Smith* Esq^{rs}

Ordered

That the Clerk of the Gen^l Affembly go to the House of Burgeffes, and acquaint
them that his Excell^{cy} commands their immediate attendance on him in the Council
chamber.

M^r *Speaker* with the House attending, His Excell^{cy} spoke to them as follows

M^r Speaker & Gentlemen of the House of Burgeffes

Her Majesty Queen *Ann*'s Royal Capitol being the place appointed by act of Affem-
bly for holding the General Affemblys; And that building being now so far finished as
to be capable of accomodating this Affembly: I do hereby in her Matys name prorogue
you to the 21st instant to meet at her Matys said Capitol, and you are accordingly hereby
prorogued.

AT A

GENERAL ASSEMBLY

Summoned to meet at her Matys Royal College of *William & Mary* adjoining to the City of *Williamsburgh* the 17th and begun the 19th day of *March* 1702 in the 2^d year of the Reign of our Sovereign Lady *Anne* by the Grace of God of *England Scotland France* and *Ireland* Queen Defender of the faith &c, & thence by several prorogations continued to, and held at her Maty Queen *Ann's* Royal Capitol, the 21st day of *April* 1704 in the third year of her Majestys Reign

At a General Assembly Summoned to meet at her Matys Royal College of *William & Mary* adjoining to the City of *Williamsburgh* the 17th and begun the 19th day of *March* 1702 in the 2^d year of the Reign of our Sovereign Lady *Anne* by the Grace of God of *England Scotland France* and *Ireland* Queen Defender of the faith &c, & thence by severall prorogations continued to, and held at her Maty Queen *Ann's* Royal Capitol, the 21st day of *April* 1704 in the third year of her Majestys Reign

[*April* 21st, 1704.]

Present

HIS Excellency *Francis Nicholson* Esq^r her Maj^{ties} Lievten^t and Governor General of *Virginia*, *William Byrd*, *John Lightfoot*, *Benj^a Harrison*, *Robert Carter*, *John Custis*, *Philip Ludwell*, *William Baffett*, *Henry Duke*, *Robert Quarry*, *John Smith* Esq^{rs}

Ordered

That the Clerk of the General Assembly go to the house of Burgeffes, and acquaint them that his Excell^{cy} commands their immediate attendance on him in the Council Chamber

The House being Come

His Excell^{cy} was pleased to acquaint them, that her Most sacred Majesty haveing been pleased to renew his Commiffion to be her Maj^{ties} Lievten^t and Governor General of this her Majestys most ancient and great Colony and Dominion of *Virginia*, he would caufe the 1^d Commiffion to be read to them

And accordingly his Excell^{cy} Commiffion was publickly read by the Clerk of the General Assembly.

After which his Excellency read that part of his Instructions wherein the Council are nominated, and acquainted the House that upon Col^o *Matthew Page's* death, the number of Councelors falling under nine, he had appointed one to Supply that vaccancie

And then Signified to the House that he had Commiffionated some of her Matys hon^{ble} Council to administer the Oaths, unto the Burgeffes.

Whereupon the Burgeffes withdrew, and the hon^{ble} W^m *Byrd*, *John Lightfoot* and *Benj^a Harrison* Esq^{rs} went to administer the Oaths to them.

The Gentlemen of the Council appointed to administer the Oaths to the Burgeffes being returned,

Ordered

That the Clerk of the Gen^l Assembly go to the House of Burgeffes & acquaint them that his Excell^{cy} commands their immediate attendance on him in y^e Council chamber

The House of Burgeffes being come his Excellency made the following Speech

Hon^{ble} Gentlemen

God Almighty I hope [See J. of H. of B., 1702/3-1712, pp. 44-45.]

And then the Burgeffes returned to their House

And the Council adjourned till tomorrow morning 9 a'clock

Saturday

Saturday April 22^d 1704

Present

HIS Excellencie, *John Lightfoot, Benj^a Harrison, Robert Carter, Philip Ludwell, William Bassett, Henry Duke Esq^r*
Ordered

That the Clerk of the Gen^l Assembly carry the following message in writing from his Excell^{cy} to the House of Burgeses

M^r Speaker & Gentlemen of the House of Burgeses

I have received [See J. of H. of B., p. 45.]

A message from the House of Burgeses to his Excell^{cy} by *M^r Gawin Corbin & others* in these words

Saturday April 22^d 1704

By the House of Burgeses

Ordered

That the members of the Com^{tee} of Elections & privileges wait upon his Excy & desire him to issue a new writt for the Election of a Burgess to serve in this Assembly for *Nansemond County* in the room of *M^r Thomas Swan* deceased.

Ordered

That the members of the Com^{tee} of Elections & privileges wait upon his Excell^{cy} & desire him to issue a New writt for the election of a Burgess to serve in this Assembly for *King & Queen County* in y^e room of *M^r W^m Leigh* deceased

Ordered

That y^e Members of the Com^{tee} of Elections and privileges wait upon his Excell^{cy} and desire him to issue out a New Writt for the Election of a Burgess to serve in this Assembly for *Middlesex County* in the room of *M^r Edwin Thacker* deceased.

W. Randolph Jun^r Cl: Ho Burg

The Council adjourned till *Munday* morning 9 aclock

Munday April 24th 1704

Present

HIS Excellencie, *William Byrd, Jn^o Lightfoot, Robert Carter, Jn^o Custis, Philip Ludwell, Henry Duke, Robert Quarry, John Smith Esq^r*

The petiçon of *Telisse Alvertson* for Naturalizaçon, read and

Referred to y^e confideraçon of the House of Burgeses

The petiçon of *Jn^o Veillon, Peter Fonyeilles, John Dep, Francois Colonie Jaqueline Jaques, Bartholomew Depuys, Ifaac ffiguier John Roffett & Paul Drapier* was read &

Referred to y^e confideraçon of the House of Burgeses

The petitions of *Cyprian Prou, Peter Rucker, & Ifaac Garret* praying for Naturalizaçon Were severally presented & read &

Ordered

That y^e same be referred to y^e Confideraçon of the House of Burgeses

The petiçon of *Mary Greenfeild* praying Leave to sell part of her land for her Substifance, her husband having left her, read &

Referred to the confideraçon of the house of Burgeses

Robert Carter Esq^r absent

Ordered

That the Clk of the Gen^l Assembly carry the following message to the House of Burgeses together with the papers relating to y^e *ffrench* Refugees

M^r Speaker & Gentlemen of the House of Burgeses

His Excell^{cy} and the hon^{ble} Council [See J. of H. of B., p. 47.]

A meffage from the Houfe of Burgeffes to his Excell^y by Mr *Robert Bolling* & others who brought the following Refolve

By the Houfe of Burgeffes

Munday April 24, 1704

Refolved

That it is the opinion of this Houfe, That in refpect of her Matys & this Countrys fervice the better fecurity of Merchant Ships & the intereft of Trade in general, it will not be proper for the prefent fleet to fail hence before the laft day of *May* next

W Randolph jun^r Cl Ho: Bur

And then the Council adjourned till to morrow morning 8 a'clock

Tuesday April y^e 25th 1704

prefent

HIS Excellencie, *Benj^a Harrison, John Custis, Henry Duke, Robert Quarry* and *John Smith* Efq^{rs}

The petiçon of the Churchwardens of *S^t peters* parifh in *New Kent* County praying a Divifion of the faid parifh was read &

Referred to y^e confideraçon of the houfe of Burgeffes

The Petiçon of *James Adams* Interpreter to y^e *Pamunkie & Chicahominy* Indians praying allowance of his Sallary, read &

Referred to y^e confideraçon of the Houfe of Burgeffes

Ordered

That the Clerk of the Gen^l Affembly carry the following meffage in writing from his Excell^y to the Houfe of Burgeffes

M^r Speaker & Gent. of the Houfe of Burgeffes

I herewith fend you [See J. of H. of B., pp. 48-49.]

Then the Council took into confideraçon the Refolve of the Houfe of Burgeffes of yefterday concerning the fleets ftaying till the laft day of *May*, And thereupon

Refolved

That the Council do concur in opinion with the Houfe of Burgeffes that it is for her Matys and this Countrys fervice, the better fecurity of the Merchant Ships & the intereft of trade in general that the prefent fleet do not fail hence before the laft day of *May* next.

A complaint of the *Nanfiatico* Indians, read &

Referred to y^e confideration of the houfe of Burgeffes

Ordered

That the Clerk of the Gen^l Affembly carry the following written meffage from His Excell^y to the Houfe of Burgeffes

M^r Speaker & Gent of the Houfe of Burgeffes

I do in her Matys name [See J. of H. of B., p. 49.]

Prefent *W^m Byrd & Jⁿ Lightfoot* Efq^{rs}

A meffage to his Excellency from the Houfe of Burgeffes by Mr *Gawin Corbin* & others who brought the following ord^r

By the Houfe of Burgeffes

Tuesday April 25. 1704

Ordered

That y^e members of the Com^{tee} of Elections & priviledges wait upon his Ex^y & defire him to iffue out a new Writt for y^e election of two Burgeffes to ferve in this Affembly for *Charles City* County.

W^m Randolph jun^r Cl Ho: Burg^s

Then y^e Council adjourned till tomorrow morning 9 a'clock

Wednesday

Wednesday April y^e 26th 1704

Present

HIS Excellencie, *William Byrd, John Lightfoot, Robert Carter, Philip Ludwell, William Baffett, Henry Duke, Robert Quarry, John Smith*

The petiçon of *John Redwood* keeper of the Country prifon praying allowance of his fallary & of his charges in entertaining diverfe Criminals

Read &

Referred to the confideraçon of the Houfe of Burgeffes

A meffage to his Excell^{cy} from the Houfe of Burgeffes by M^r *William Randolph* and others acquainting his Excell^{cy} that they were commanded by the Houfe to wait on him with the following Refolve

May it please Yo^r Excell^{cy}

The Houfe of Burgeffes having [See J. of H. of B., p. 51.]

And alfo the f^d M^r *Randolph* with the other meffengers prefented to his Excell^{cy} the following Refolve *Viz*

Wednesday April 26th 1704

By the houfe of Burgeffes

Resolved That it is the opinion of this Houfe that it will be moft for her Matys & this Countrys fervice & intereft that all Ships defign'd for this Country in time of war do fail from *England* the latter end of *Auguft* or the begining of *September*

W Randolph Jun^r Cl Ho Burg

And then y^e Council adjourned till to morrow morning 9 a'clock

Thursday April 27th 1704

present

HIS Excellencie, *William Byrd, John Lightfoot, Rob^t Carter, Jn^o Custis, Philip Ludwell, William Baffett, Henry Duke, Robert Quarry, & Jn^o Smith Esq^r*

A petiçon of *Edmund Jenings Esq^r Thomas Barber & Thomas Ballard* Gent praying allowance for their attending as a Committee for directing the work of the Capitol, Read &

Referred to y^e confideraçon of the Houfe of Burgeffes

A petiçon of *Thomas Whitby* praying fome confideraçon for extraordinary fervices about y^e Capitol

A petition of *Thomas Wynne* praying allowance for what is due to him as Interp^r to the *Nattoway* Indians &c

A petiçon of the *Nattoway* Indians praying leave to hunt amongft the Inhabitants &c

And alfo

A petiçon of *John Holt* praying leave to keep fferry from *Hog Island* on *James River* Were feverally read, and Referred to y^e confideraçon of the Houfe of Burgeffes

Ordered

That the Clk of the Gen^l Affembly carry the following meffage in writing to the Houfe of Burgeffes

By his Excell^{cy} and the hon^{ble} Council

M^r Speaker & Gent of the Houfe of Burgeffes

His Excellency & the hon^{ble} Council have [See J. of H. of B., p. 53.]

Ordered

That the Clerk of the Gen^l Affembly carry the following meffage in writing to the Houfe of Burgeffes

By his Ex^{cy} & the hon^{ble} Council

M^r Speaker & Gent of the Houfe of Burgeffes

Upon confidering y^e Refolve [See J. of H. of B., pp. 52-53.]

Ordered

Ordered

That the Clerk of the General Assembly carry the following message to the House of Burgeffes

By his Excell^y & the hon^{ble} Council

M^r Speaker & Gent of the House of Burgeffes

His Excell^y and the hon^{ble} Council finding [See J. of H. of B., p. 53.]

A petition of M^r *Henry Cary* overseer of the work at y^e Capitol praying directions in several matters relating thereto

And also A petition of the said *Henry Cary* praying allowance for extraordinary Services about y^e Capitol & prison

Were Severally Read & Referred to y^e consideration of the House of Burgeffes.

Ordered

That the Clerk of the Gen^l Assembly carry the following written message from his Excell^y to y^e House of Burgeffes

M^r Speaker & Gent of the House of Burgeffes

I recommend to you [See J. of H. of B., p. 55.]

A petition of *Chicheley Corbin Thacker* in behalf of M^r *Secry Jenings* praying allowance for issuing diverse Military Commissions

A petition of the f^d *Chicheley Corbin Thacker* in behalf of M^r *Secretary Jenings* praying allowance for five new Writts issued out this Session

Also

A petition of the f^d *Chicheley Corbin Thacker* praying allowance for publick Services as Clerk of the Secretarys office to October last

And likewise

A petition of *Charles Chiswell* Clerk of the Secretarys office praying allowance for publick Services since October last

Were Severally Read &

Referred to y^e consideration of the House of Burgeffes

And then y^e Council adjourned till tomorrow morning 9 a'clock

Friday April 28th 1704

Present

HIS Excellency, *William Byrd, Jn^o Lightfoot, Benj^o Harrison, Robert Carter, Jn^o Custis, Philip Ludwell, W^m Baffett, Henry Duke, Robert Quarry & Jn^o Smith Esq^{rs}*

A petition of *Josiah Ship* of *Effex* County praying leave to keep a ferry over *Rappahannock* River read &

Referred to y^e consideration of the House of Burgeffes

The Council adjourned till tomorrow morning 9 a'clock

Saturday April 29th 1704

present

HIS Excellency, *William Byrd, John Lightfoot, John Custis, Philip Ludwell, W^m Baffett, Henry Duke, Robert Quarry and Jn^o Smith Esq^{rs}*

Ordered

That the Clerk of the General Assembly go to the House of Burgeffes & acquaint them that his Excell^y commands their immediate attendance on him in y^e Council Chamber

M^r

Mr *Speaker* with the House being come into the Council Chamber, His Excell^y was pleased to make the following Speech, and afterwards delivered a copy thereof to the Speaker, in these words

Mr *Speaker & Gent of the House of Burgeffes*

I hope in God [See J. of H. of B., pp. 58-59.]

And then the Council adjourned till *Munday* morning 9 a'clock.

Munday May the 1st 1704

present

HIS Excellency, *John Cufitis, Philip Ludwell, Henry Duke, Robert Quarry and John Smith Esq^{rs}*

An informaçon being given to his Excell^y & the Council of some dangerous practices of two *Chicahominy* Indians

Ordered

That the same be referred to the confideraçon of the House of Burgeffes

A meffage from the House of Burgeffes to his Excell^y and the Council by Mr *W^m Randolph* & others acquainting his Excell^y and their Hon^{rs} that they were commanded by the House to present the following meffage w^{ch} contains their reasons for their former Refolve about the Ships

May it please yo^r Excell^y and Hon^{rs}

The House of Burgeffes having [See J. of H. of B., pp. 59-60.]

Ordered

That the confideraçon of the said Meffage be referred till to morrow morning

And then the Council adjourned till to morrow morning 9 a'clock

Tuesday May the 2^d 1704

Present

HIS Excellency, *Jn^o Lightfoot, Jn^o Cufitis, Philip Ludwell, Henry Duke, Robert Quarry, Jn^o Smith Esq^{rs}*

The Council (according to order) took into confideration the House of Burgeffes meffage sent yesternight Signifying their Resolutions on his Ex^{cy} & the Councils meffage of the 27th of *April* in relation to the Ships, and an addition being propofed thereto, the said answer and Resolutions of the House & addition were read & thereupon

Refolved

That the Council do agree to the Resolutions of the House of Burgeffes with that Addition

Ordered

That the Clerk go to y^e House of Burgeffes and acquaint them that the Council have agreed to the said Resolutions with an addition to w^{ch} they desire the Burgeffes concurrence

A meffage from the House of Burgeffes to his Excell^y & Council by Mr *William Byrd* & others who brought the following Refolves to w^{ch} they desire his Ex^{cy} & the Councils concurrence

Munday May the 1st 1704

By the House of Burgeffes

Refolved

That the old Houses belonging to Mr *John Page* standing in the middle of *Glocester* fstreet be pulled down

Refolved

That the said House be valued by four men upon Oath

Ordered

Ordered

That the Sheriff of *York* County forthwith Summon four freeholders of his County & that the freeholders so Summoned being sworn before any one of her Matys Justices of the peace for the 1st County value the old houses belonging to Mr *John Page* standing in the Middle of *Glocester* Street, and make Return of their proceedings therein to the House with all convenient expedition

Resolved

That the House doth agree to his Excell^{cy} proposition in his message to this House on the 27th of *April* in these words

That each of the Garretts of the East & West fronts of the Capitol be divided into four Roomes and thus appropriated viz one for the Auditor, One for the Secretary. One for the Judge of the Vice Admiralty, One for my Lord Bishop of *London's* Commissary, One to keep all the Collectors accounts & papers, w^{ch} are to be returned every eighteen moneths, & one for the Naval Officers to be employed for the same use. One for the Attorney General. & one for the Sheriff attending the General Court

That the Garret over the Conference Room be divided into four Closets to be thus appropriated Viz^t one for the Clerk of the Gen^l Assembly, one for the Clerk of the House of Burgeses, & one for each of the two Clerks of the Committees.

That the Garrets in the roof be boarded & so made capable of holding Several things & other uses

Resolved

That it be left to his Excell^{cy} the Governor to make his choice whether he will buy or Lease the Houses built for the workmen at the Capitol.

W^m Randolph Jun^r Cl: Ho: Bur.

Resolved

That y^e Council do assent to the said Resolves of the Burgeses

And then his Excell^{cy} Signed his assent thereto

Ordered

That a warrant be prepared in pursuance of the said Resolves to the Sheriff of *York* County to Summon four Freeholders of that County to value the Houses belonging to Mr *John Page* standing in the middle of *Glocester* street, and make Return of their proceedings to the House of Burgeses

Ordered

That the Clerk of the Gen^l Assembly carry the following message to the House of Burgeses

By his Excell^{cy} and the hon^{ble} Council

M^r Speaker & Gent of the House of Burgeses

Whereas many times [See J. of H. of B., p. 65.]

And then the Council adjourned till tomorrow morning 9 a'clock.

Wednesday May the 3^d 1704

Present

HIS Excellencie, *Jn^o Lightfoot, Jn^o Custis, Philip Ludwell, Henry Duke, Rob^t Quary, Jn^o Smith Esq^{rs}*

The warrant to the Sheriff of *York* for Summoning four Freeholders of the 1st County to value the old Houses belonging to Mr *Jn^o Page* standing in *Glocester* street Read and

Ordered

That the Clerk of the Gen^l Assembly carry the same to the House of Burgeses for their perusal and approbacon

Ordered

That the Clerk of the Gen^l Assembly carry the following message in writing from his Excellency to the House of Burgeses

M^r

Mr Speaker & Gent of the House of Burgeffes

Since I find [See J. of H. of B., p. 64.]

Ordered

That the Clerk of the General Affembly carry the following written meffage to the Houfe of Burgeffes

By his Excell^{cy} & the hon^{ble} Council

Mr Speaker & Gent of the House of Burgeffes

His Excellency [See J. of H. of B., p. 66.]

Ordered

That the Clerk of the General Affembly carry to the Houfe of Burgeffes for their perufal the order of his Excellency in Council of the 29th of laft month for the Commadore's ftaying till the laft day of *May* next.

A meffage from the Burgeffes to his Excell^{cy} by *Mr William Robinson* & others who brought back the warrant for Summoning four freeholders of *York County* to value the old Houfes ftanding in *Glocefter* ftreet, and acquainted his Excell^{cy} that the Houfe approved thereof with an amendment propofed by them

Whereupon the faid warrant was read, and the amendment agreed to & inferted, &

Ordered

That y^e fame be fairly tranfcribed for his Excell^{cy}s Signing & the feal of the Colony affixt to it

And then the Council adjourned till tomorrow morning 9 aclock

Thursday May the 4th 1704.

Preſent

HIS Excellency, *John Lightfoot, Robert Carter, John Cuſtis, Philip Ludwell, Henry Duke, Robert Quarry & Jn^o Smith Eſq^{rs}*

Mr Attorney General having prepared a draught of a Commiſſion for adminiſtring the Oaths to the *French* Refugees in order to their Naturalizacon

Ordered

That the Clerk of the General Affembly carry the fame to the Houfe of Burgeffes for their perufal

The Council adjourned till to morrow morning 9 aclock

Friday May the 5th 1704

Preſent

HIS Excellency, *Jn^o Lightfoot, Robert Carter, Jn^o Cuſtis, Philip Ludwell, Henry Duke, Robert Quarry & Jn^o Smith Eſq^{rs}*

A meffage from the Houfe of Burgeffes to y^e Council by *Mr Covington* & others who brought An Engroſſed Bill from the Burgeffes Ent an Act for dividing *Sittenburn Pariſh*

And the f^d bill was read the firſt time, and ordered a Second reading.

A meffage from the Houfe of Burgeffes to y^e Council by *Mr Charles Aſhton* & others who brought the following bills to wch they deſire their Hon^{rs} concurrence *Viz*

A bill Ent an act for dividing *S^t peters pariſh* in *New Kent County*

A bill Ent an act for reviving the act for the better improving the breed of horſes & for reſtraining unruly horſes

A bill Ent an act to repeal the 2^d act of Affembly made in the year 1664 Ent an act for frontiers to be Seated with four able hands

A bill Ent an act for tareing & aſcertaining the Size of Tobacco hogſheads

A bill Ent an act to prevent *Indians* hunting and ranging upon patented lands

And

And the said bills were read the first time, and Ordered a second reading to morrow morning

Also the 1^d Mr *Ashton* presented the following order of the House of Burgeses to w^{ch} they desire the Councils concurrence

Friday May 5th 1704

By the House of Burgeses

Ordered

That the Sum of three pounds be paid to Mr *Jn^o Page* out of the money in Mr *Treasurers* hands from y^e late Impositions on Liquors, Servants & Slaves

Ordered

That Mr *Henry Cary* forthwith set the labourers employed about the building of the Capitol to pull down the four old houses & Oven belonging to Mr *John Page* which stand in *Glocester* street, and have been appraised, and that they lay the bricks out of the Street on the Lott of the said *John Page*

W^m *Randolph Jun^r* Cl Ho: Burg^s

And the said Order being read

Resolved

That the Council do assent thereto

And then his Excell^y was pleased to sign his Assent to the Same

Ordered

That the Clerk of the Gen^l Assembly carry back the 1^d order to the House of Burgeses & acquaint them his Ex^{ty} & the Council have assented thereto

And then the Council adjourned till to morrow morning 9 a'clock

Saturday May y^e 6th 1704

Present

HIS Excellency, *John Lightfoot*, *Robert Carter*, *Jn^o Custis*, *Philip Ludwell*, *Henry Duke*, *Robert Quarry* & *Jn^o Smith Esq^r*

An Engrossed bill from the Burgeses Ent an Act for the better improving the breed of horses & for restraining unruly horses read the 2^d time & Committed for amendments to *Robert Carter*, *Jn^o Custis* & *Philip Ludwell Esq^r*

An Engrossed bill from the Burgeses Ent an act for dividing St peters parish in New Kent County, read the second time, and ordered to be read y^e 3^d time.

An Engrossed bill from the Burgeses Ent an act for dividing Sittenburn parish read the 2^d time & Ordered to be read the third time

An engrossed bill from the Burgeses Ent an Act to repeal the second act of Assembly made in the year 1664 Ent an act for the frontiers to be seated with four able hands Read the 2^d time, and Ordered to be read the third time

An Engrossed bill from the Burgeses Ent an Act to prevent Indians hunting and ranging upon patented Lands, Read y^e 2^d time, and Ordered, to be read the third time

An Engrossed bill from the Burgeses Ent an act for taring and ascertaining the Size of Tobacco hogheads Read the second time and

Committed for amendments to *Robert Carter*, *John Custis* & *Philip Ludwell Esq^r*

A message from the House of Burgeses to y^e Council by Mr *Miles Cary* & others who brought the following bills to w^{ch} they desire their Hon^{rs} concurrence, viz

A Bill Ent an act for reviving the Impositions on Liquors Servants & Slaves for one year & no longer

A bill Ent An Act for removing Criminals from the Goals of the Countys where they shal be apprehended to the publick Goal at Williamfburgh

And the said Bills were read the first time & ordered a 2^d reading

Mr *Miles Cary* & others from the House of Burgeses brought the Books of publick Claimes to w^{ch} they desired the Councils concurrence

Ordered

That the Books of Claimes be Read on Munday next

And then y^e Council adjourned till Munday morning 10 a'clock

Munday

Munday May the 8th 1704

present

HIS Excellency, *John Lightfoot, Robert Carter, Jn^o Custis, Philip Ludwell, Henry Duke, Robert Quarry & Jn^o Smith Esq^{rs}*

Robert Carter Esq^r from y^e Committee to whom it was referred to prepare amendm^{ts} to the Bill Ent *an Act for the better improving the breed of horses & for restraining unruly horses*, Reported y^e amendments made by them to the said bill, w^{ch} he read in his place and afterwards delivered in at the Table where the Same were again read & (with some alteration) Agreed to

Resolved

That the Bill with the amendments do pass

Ordered

That the Clerk of the Gen^l Assembly carry the said bill to the House of Burgeffes and acquaint them that the Council have assented thereto with some amendments to w^{ch} they desire the concurrence of the House

Robert Carter Esq^r from the Com^{tee} to whom it was referred to prepare amendm^{ts} to the Bill Ent *an act for taring and ascertaining the size of Tobacco hogsheds*, Reported the several amendments and Additions made by them to the said bill, w^{ch} he read in his place, and afterwards delivered in at the Table, where y^e same were again thrice read & (with some altera^{cion}) agreed to

Resolved

That the bill with the amendmts & additions do pass

Ordered

That y^e Clerk of the Gen^l Assembly carry the said bill to the House of Burgeffes and acquaint them that the Council have assented thereto with diverse amendm^{ts} & Additions to w^{ch} they desire the concurrence of the House

The Council (according to order) proceeded to the reading the book of *Claimes* And the book of *Claimes* made up in *April 1702* being first read

Resolved, that the said Book be assented to, and that the Clerk certify thereon that y^e same is assented to by the Council

Then his Excell^{cy} was pleased to Sign his Assent to the same in these words

"Munday May 8th 1704 This book of Claimes (except that propofal of paying "12^s for every Military Commiffion out of the two shillings & hogsheds) is assented to by
ffr: Nicholson

The Council took into confidera^{cion} the book of *Claimes* made up this present Session, and the same being read over

Resolved

That the 1st Book of publick *Claimes* do pass, and that the Clerk of the Gen^l Assembly certify thereon that y^e same is assented to by the Council.

And then his Excell^{cy} was pleased to sign his assent thereto

An Engrossed bill from the Burgeffes Ent *An Act to repeal the 2^d Act of Assembly made in the year 1664 Ent an act for the frontiers to be Seated with four able hands*, Read y^e 3^d time and past without any amendment

Ordered that the Clerk of the Gen^l Assembly carry the said bill to the House of Burgeffes, and acquaint them that the Council have agreed to y^e Same without any amendment

An Engrossed bill from the Burgeffes Ent *an act for dividing Sittenburn parish* Read y^e third time, and past without any amendment

Ordered

That the Clerk of the Gen^l Assembly carry the 1st bill to the House of Burgeffes & acquaint them that the Council have agreed to y^e same without any amendm^t

An Engrossed Bill from the Burgeffes Ent *an act for dividing St peters parish in New Kent County* Read the 3^d time & past without amendment.

Ordered

Ordered that the Clerk of the Gen^l Assembly carry the said bill to the House of Burgeffes and acquaint them that the Council have agreed thereto without any amendm^t

An Engrossed bill from the Burgeffes Ent *an act to prevent Indians hunting and ranging upon patented Lands*, read the 3^d time & past without amendment

Ordered, that the Clk of the Gen^l Assembly carry the 1^d bill to the House of Burgeffes and acquaint them that y^e Council have agreed thereunto without any amendment.

An Engrossed bill from the Burgeffes Ent *an act for removing Criminals from the Goals of the Countys where they shal be apprehended to the publick Goal at Williamfburgh* read the 2^d time &

Ordered a third reading to morrow morning

An Engrossed bill from the Burgeffes Ent *an act Reviving the Impositions on Liquors servants & Slaves for one year & no longer*, read the second time And an amendment made thereto

Ordered,

That the 1^d bill & amendm^t be read y^e third time to morrow morning

And then y^e Council adjourned till to morrow morning 9 a'clock

Tuesday May the 9th 1704

present

HIS Excellencie, Jn^o Lightfoot, Robert Carter, Jn^o Custis, Philip Ludwell, Henry Duke, Robert Quarry and Jn^o Smith Esq^{rs}

An Engrossed bill from the Burgeffes Ent *an act reviving the Impositions on Liquors Servants and Slaves for one year & no longer*, read the 3^d time with the amendm^{ts} and agreed to by the Council

Resolved

That the bill with the amendments do pass

Ordered, that the Clerk of the Gen^l Assembly carry the said bill to y^e House of Burgeffes, and acquaint them that the Council have agreed to the same with the amendm^{ts} to w^{ch} they desire the concurrence of the House.

An engrossed bill from the Burgeffes Ent *an act for removing Criminals from the Goals of the Countys where they shal be apprehended to y^e publick Goal at Williamfburgh*, Read the 3^d time, and agreed to by the Council

Ordered, that the Clerk of the Gen^l Assembly carry the 1^d bill to the House of Burgeffes, and acquaint them that the Council have agreed thereto without any amendm^t

A message from the House of Burgeffes to the Council by M^r Gawin Corbin & others who brought back the bill Ent *An Act for taring and ascertaining the Size of Tobacco hogfheads*, and also, the bill Ent *an act reviving the act for the better improving the breed of horses & for restraining unruly horses*, and acquainted their Hon^{rs} that the House had agreed to y^e amendments proposed by them to the 1^d bills & had inserted them therein.

And likewise the said M^r Gawin Corbin presented to his Excell^{cy} & the Council the following Resolves of the House Viz^t

Munday May the 8th 1704

By the House of Burgeffes

Upon confideraçon of the Report [See J. of H. of B., p. 74.]

Also the said M^r Corbin brought an Engrossed bill from the Burgeffes Ent *an act for allowing a greater number of publick Ordinarys to w^{ch} they desire y^e Councils concurrence* And the 1^d bill was read the first time and ordered a second reading.

Then the Council read the Bill Ent *an act for taring & ascertaining the Size of Tobacco hogfheads*, And compared the same with the amendm^{ts} made by them thereto and *Ordered*, that the 1^d bill be returned again to the House

As

As also the bill Entituled *An act reviving the act* for the better improving the breed of horses, was read and compared with y^e amendments made by the Council thereunto, and

Ordered

That the Clerk of the Gen^l Assembly return the said bill to the House of Burgeses And then y^e Council adjourned till to morrow morning 9 a'clock.

Wednesday May the 10th 1704

present

HIS Excellency, Jn^o Lightfoot, Robert Carter, Jn^o Custis, Philip Ludwell, Henry Duke, Robert Quarry & Jn^o Smith Esq^{rs}

Ordered

That the Clerk of the General Assembly carry the following message in writing to the House of Burgeses

By the hon^{ble} Council

M^r Speaker & Gent of the House of Burgeses

The Council having yesterday sent down to yo^r House the bill for reviving the Impositions on Liquors, Servants & Slaves for one year & no longer, with a proposal of an Amendment thereto, Do now acquaint you that they are willing to recede from that amendment and to pass the bill without it

An Engrossed bill from the Burgeses Entituled *an Act for allowing a greater number of publick ordinaries* read y^e Second time, and an Amendment being proposed thereto, the same was read twice, and agreed to, and

Ordered

That the said bill and amendments be read the third time

A message from the House of Burgeses to y^e Council by M^r Miles Cary & others who brought the bill for reviving the impositions on Liquors Servants & Slaves for one year and no longer, and acquainted their Hon^{rs} that since they had been pleas'd to recede from their amendment to the 1st Bill, The House had commanded them to return the same, and that the house expected their Hon^{rs} concurrence thereto.

The said M^r Cary presented an Engrossed bill from the Burgeses Ent *an Act appointing a Treasurer*, to w^{ch} they desire the Councils concurrence

As also presented the following Resolves to w^{ch} the House desire the Councils concurrence

Wednesday May the 3^d 1704

By the House of Burgeses

Resolved

that ten thousand acres of land be laid out at the *Manakin* town and appropriated to the use of the *ffrench* Refugees there settled

Resolved

That every *ffrench* Refugee inhabiting at *Manakin* town & parts adjacent have liberty to take up so much of the said ten thousand acres as will make the quantity (already taken up) one hundred and thirty three acres

Resolved

That the ten thousand Acres of land appropriated for the use of the *ffrench* Refugees settled at *Manakin* Town, be laid out so as to include the Lower Settlement on the River, and thence running along the River upwards so as to include the Upper Settlement and thence running so far back into the woods as will give the quantity of ten thousand Acres.

W. Randolph Cl Ho: Bur:

Munday May the 8th 1704

By the House of Burgeses

Resolved

That the publick prison be included within the bounds appropriated to y^e Capitol and that the 1st bounds already ascertained for the 1st Capitol be continued from the Main

Main road juſt before the door of one of the Capitol Houſes to the extent of forty one poles to a poſt, thence including the priſon, thirty two poles to a poſt on the Weſt ſide of the Spring, thence fourteen poles to the corner of a Ditch, thence along the ſaid Ditch thirty poles and a half to a poſt by the ſaid Ditch, and from thence to the beginning place

Ordered

That Mr *Henry Cary* after the Capitol is finiſhed ſell by Outcry what utenſils bedding, and other moveables he hath under his care for the carrying on the building the ſ^d work, and that he take bond with good ſecurity for the payment of the money by the purchaſers & give a year to pay in

W Randolph Cl: Ho: Bur.

Tueſday May the 9th 1704

By the Houſe of Burgeſſes

Reſolved

That the Capitol inſtead of being railed in, be incloſed with a good brick wall of two brick thick, & four foot and a half high upon the Level within the wall, and that the ſ^d wall be diſtant ſixty foot from the fronts of the Eaſt & weſt building, and fifty foot from the North & South end of the ſ^d building, with four Suitable Entrances into y^e ſame.

W Randolph Cl Ho: Bur:

Wedneſday May the 3^d 1704

By the Houſe of Burgeſſes

Reſolved and accordingly Ordered

That Stones be ſent for & ſet up to diſtinguiſh the bounds of the Square markt out for the Capitol and the bounds & Rules of the priſon

Reſolved and accordingly Ordered

That the Dial plates ſent in for the Clock be diſpoſed of by the Committee appointed to inſpect and overſee the building of the Capitol as they ſhal think fitt

Reſolved & accordingly Ordered

That Dial plates for the Clock be drawn on the Square of the Cupulo

Reſolved

That the *Virginia* arms be ſent for, and that they be ſet up in the room where the Houſe of Burgeſſes ſitt

Copy Teſt W Randolph jun^r Cl Ho Bur

And in like manner Mr *Cary* preſented the following Reſolves of the Houſe and deſired the Councils concurrence thereto. viz

Tueſday May the 9th 1704

By the Houſe of Burgeſſes

Upon conſideration of the Report of the Committee made upon the petition of *Rich^d Ligon* to be reſtored to his place of Surveyor of *Henrico* County, for w^{ch} he hath for ſometime been Suſpended,

The Houſe agreed to the Report of the Committee *Viz^t*

That ſince he hath loſt the profit & advantage of his Surveyors place from the 26th of *Auguſt* laſt, and attended two Gen^l Courts at his own charge, he has had conſiderable puniſhment, and therefore hope his Excell^{cy} will pleaſe that he may be reſtored to y^e ſ^d place of Surveyor of *Henrico* County

W Randolph jun^r Cl Ho: Burg^s

Mr *Miles Cary* and others Brought the following meſſage from the Houſe of Burgeſſes to his Excell^{cy}

Tueſday May y^e 9th 1704

By the Houſe of Burgeſſes

Upon conſideraçon of the Report of the Committee made upon the Complaint of Capt *Perry* a *Chicahominy* Indian ag^t *James Muſt* and *Cofcohunk* of the ſame Town for burning his the ſ^d *perrys* Cabbin, and threatening to go to y^e *Senequas*, join with them, and bring them down to deſtroy the *Engliſh*

The

The House agreed to the Report of the Committee *Viz*^t

That as to burning the said Cabbin & the quarrell amongst themselves they have provisions amongst them for punishing any that shall offend ag^t their Laws or Rules and as to the words threatening the Government, that his Excell^{cy} will be pleased to consider the same and give such directions therein as to him shall seem most fitt

W^m Randolph Cl Ho: Bur:

A message from the House of Burgeffes to his Excell^{cy} and the Council by M^r *Benjamin Harrison* & others, who first read, and then delivered an Address to her most Sacred Majesty prepared by the House of Burgeffes to w^{ch} they desire his Excell^{cy} and the Councils concurrence.

Which Address is as follows

To the Queens most Excell^t Majesty

May it please Y^r Majesty

We y^r Majesty's most Loyal [See J. of H. of B., pp. 78-79.]

Resolved

That the Address be agreed to by the Council without any alteration

And then his Excellency and the Council Sign'd the same, and

Ordered

That the Clerk of the Gen^l Assembly carry the s^d Address to the house of Burgeffes, and acquaint them that his Excell^{cy} and the Council have Sign'd the same and desire the House may fill it up accordingly.

An Engrossed bill from the Burgeffes Entituled *an Act appointing a Treasurer* Read the first time, and Ordered a second reading

The Engrossed bill for Reviving the Impositions on Liquors Servants & Slaves for one year & no longer was assented to by the Council, and

Ordered

That the Clerk of the General Assembly return the said bill to the House of Burgeffes & acquaint them of the Councils assent to y^e same.

And then the Council adjourned for an hour

THE Council being Refumed

An Engrossed bill from the Burgeffes Ent *An Act allowing a greater number of publick Ordinarys*, was read the third time with y^e amendment

Resolved

That the bill with the amendm^t do pass.

Ordered

That the Clerk of the General Assembly carry the said bill to the House of Burgeffes and acquaint them that the Council have Assented thereto with an amendm^t to w^{ch} they desire the concurrence of the House

An Engrossed bill from the Burgeffes Ent *an act appointing a Treasurer* Read the 2^d time, and Ordered a third reading

Then the Resolves of the House of Burgeffes sent up this day in a message by M^r *Miles Cary* & others were read, and thereupon

Resolved

That the Council do assent to the several Resolves of the House made the 3^d of this *instant May* relating to the Land to be appropriated for the *French* Refugees at the *Manakin Town*

To w^{ch} his Ex^{cy} was also pleased to sign his Assent

And upon reading the Resolve of the House of Burgeffes of the 8th of this *instant* relating to the bounds of the Capitol and prison, and empowering M^r *Henry Cary* to sell by Outcry the Utensils bedding and moveables he hath under his care

Resolved

That y^e Council do concur with the Burgeffes in the Subject matter of the said Resolve

And

And upon the Refolve of the Houfe of Burgeffes of the 9th *instant* directing the inclofing the Capitol with a brick wall

The Council do agree to the faid Refolve as it is paft by the Houfe

Upon reading the Refolve of the Houfe of Burgeffes of the 3^d of this *instant* directing that Stones be fent for & fet up to diftinguifh the bounds of the Square markd out for the Capitol & bounds & Rules of the prifon, and alfo giving directions in relations to the Dial plates & *Virginia* arms

Refolved

That the Council do affent to the feveral directions given therein by the Houfe

And then his Excell^{cy} was pleafed to fign his affent to y^e Said Sev^{ll} Refolves afore-mentioned

Ordered

That the Clerk of the Gen^{ll} Affembly return the faid Refolves to the Houfe & acquaint them that his Excell^{cy} and the Council have affented thereto

Upon reading the Refolve of the Houfe of Burgeffes Sent this day in relaçon to *Richard Ligon*

Refolved

That the Council do concur with the Houfe of Burgeffes in the faid Refolve and that his Excell^{cy} be humbly defired to reftore the abovenamed *Rich^d Ligon* to his place of Surveyor of *Henrico* County

Upon w^{ch} his Excell^{cy} was pleafed to Signify his affent in thefe words

“*May* y^e 10th 1704

“The above Requeft of the Council & Houfe of Burgeffes is affented to, with this
“Declaration that y^e fame fhall not be conftrued as an approbation of the f^d *Ligons* actions,
“nor to make good the Survey by him made for w^{ch} he was Sufpended.

ffr: Nicholfon

Ordered

That the Clerk of the General Affembly return the faid Refolves to the Houfe of Burgeffes & acquaint them that the fame are affented to by his Ex^{cy} & the Council.

Upon reading the Refolve of the Houfe of Burgeffes of the 9th of this *instant* proceeding upon the Complaint of Cap^t *Perry* a *Chicahominy* Indian

Refolved

That y^e Same be affented to by the Council

And then his Excell^{cy} Signed his Affent to y^e fame

Ordered

That the Clerk of the General Affembly carry the faid Refolves to the Houfe of Burgeffes and acquaint them that his Excell^{cy} and the Council have affented thereto

And upon reading the feveral Refolves of the Houfe of Burgeffes of y^e 8th *instant* made upon the refpective petitions of the *Nanfiatico* and *Nattoway* Indians & fent up to the Council yefterday

Refolved

That the Council do affent to the feveral Refolves of the Houfe made on the f^d refpective petitions

And then his Excell^{cy} Sign'd his affent to y^e Same

Ordered

That the Clerk of the Gen^{ll} Affembly return the f^d Refolves to the Houfe of Burgeffes and acquaint them that y^e fame are affented to by his Excell^{cy} and the Council

And then y^e Council adjourned till to morrow morning 9 a'clock

Thursday May the 11th 1704

Prefent

HIS Excellency, Jn^o *Lightfoot*, *Robert Carter*, Jn^o *Cuftis*, *Philip Ludwell*, *Henry Duke*, *Robert Quarry* & *John Smith* Efq^{rs}

Ordered

That the Clerk of the General Affembly carry the following meffage in writing from his Excellency to the Houfe of Burgeffes

M^r

Mr Speaker & Gent of the House of Burgeffes

I thank God [See J. of H. of B., p. 79.]

An Engroffed bill from the Burgeffes Ent *An Act appointing a Treasurer* read the third time, and agreed to without amendment

Resolved

That the bill do pass

Ordered

That the Clerk of the Gen^l Assembly carry the 1st bill to the House of Burgeffes & acquaint them that the Council have assented to y^e same without any amendment.

Ordered

That the Clk of the Gen^l Assembly carry to the House of Burgeffes the orders of Council this day made upon the several Resolves of the House past this Session, and acquaint them that his Excell^y & the Council desire they will return the order of Council directing the Commodore's Staying till the last of *May*, as also the draught of a Commission prepared by Mr *Attorney General* for administering the Oaths to the *French Refugees* w^{ch} were sent them sometime since for their perusal.

A message from the House of Burgeffes to the Council by Mr *Corbin* & others that the House had commanded them to wait on their Hon^{rs} with the bill Ent *An Act for allowing a greater number of publick Ordinarys*, and to acquaint them that the House had agreed to the amendment made by their Hon^{rs} to the said bills, and had inserted it therein

And also presented an Ordinance of Assembly for the defence of the Country in times of danger to w^{ch} they desire the Councils concurrence

And the said Ordinance was read & assented to by the Council.

Ordered

That the Clerk of the Gen^l Assembly carry back the said Ordinance to y^e House of Burgeffes and acquaint them that the Council have assented thereto without any amendment

The Engroffed bill Ent *An Act for allowing a greater number of publick ordinarys* was compared with the amendments made thereunto by the Council, and

Ordered, to be returned to y^e House of Burgeffes

Ordered

That the Clerk of the General Assembly carry the following message in writing from his Excellency to the House of Burgeffes

Mr Speaker & Gent of the House of Burgeffes

I am obliged to you [See J. of H. of B., p. 81.]

A message to the Council from the Burgeffes by Mr *Churchhill* & others who brought up Mr *Treasurer Carters* accompts past by the House to which they desire the Councils concurrence

Resolved

That the Council do concur with the Burgeffes in passing Mr *Treasurer Carters* acco^{ts}

And then his Excell^y Signed his assent to y^e same.

Ordered

That the Clerk of the General Assembly carry back the said Acco^{ts} to the House of Burgeffes and acquaint them that his Excell^y and the Council have assented thereto

A message to the Council from the House of Burgeffes by Mr *Miles Cary* & others, who brought the Book of Propositions [proportions] of the publick Levy to w^{ch} the House desire the Councils concurrence

And also presented an Engroffed bill from the Burgeffes Ent *an act for raising a publick Levy*, and the said Bill was read the first time and ordered a second reading.

The

The Book of proportions was perused and assented to by the hon^{ble} Council And then his Excell^{cy} Signed his Assent to y^e same

Ordered

That the Clerk of the General Assembly return the said Book to y^e House of Burgeffes and acquaint them that his Excell^{cy} and the Council have assented thereto.

And then the Council adjourned during pleasure

THE Council being Refumed

The bill Entituled *An act for raising a publick Levy* was read the 2^d time and Ordered a third reading

The Council adjourned during pleasure

AND being again Mett

The Bill Ent *an Act for raising a publick Levy* was read the third time

Resolved

That the bill do pass

Ordered

That the Clerk of the Gen^l Assembly carry the f^d bill to the House of Burgeffes and acquaint them that the Council have assented thereto

A message from the House of Burgeffes to his Excell^{cy} by M^r Corbin & others That they were commanded by the House of Burgeffes to wait on his Excell^{cy} to acquaint him that the House had prepared an humble Address to his Excell^{cy}, and desired to know his pleasure when they should attend him to present the Same.

To which his Excell^{cy} answered they might come presently

The House of Burgeffes being come into the Council Chamber the following Address was read and presented by M^r Speaker

To his Excellency Francis Nicholson Esq^r her Majestys Lieuten^t and Govern^r Gen^l of Virginia

The humble Address of her Matys most Loyal and dutifull Subjects the Burgeffes convened at her Majesty Queen Anne her Royal Capitol in her Ma^{ty}s Colony and Dominion of Virginia

May it please yo^r Excellency

The Burgeffes our Predecessors have [See J. of H. of B., pp. 80-81.]

Upon w^{ch} his Excell^{cy} was pleased to answer to this Effect

That as to the Address to her most Sacred Majesty he would take care to have it transmitted to her Royal hands, and that he would not fail to let her Majesty know the circumstances of this Country both as to the fears & apprehensions it lyes under, of an Indian enemy, and as to y^e trade, w^{ch} he could wish were in a more flourishing condition than he finds it to be by the acco^{ts} he hath had from *England* & what he found here.

That what he promised about the money to be raised by the Impositions, he would make it his endeavor to performe, & he hoped they were all satisfied that the last Impositions had been carefully applied to the uses for w^{ch} they were intended.

As to y^e Militia he inform'd y^e House that he thought it a duty incumbent upon him to have them often mustered, in order to their being well disciplined, that being the only force they had for the defence of their Country (and he hoped they would never need any other) but he had every year lessened that trouble of mustering, & believed he might reduce it this or next year to the times directed by Law only; yet he hoped they were all sensible that that Law gave him power to muster the militia as oft as he thought fitt, & assured them that he had never given them any trouble of that nature but what he found absolutely necessary for her Majestys Service

And

And as to that part of the Address wherein they take notice of their & their predecessors obligations to him, his Excellency acquainted them that it was a great Satisfaction to him to find that what he had done, was so well taken by them: and assured them that it should be his prayers to God Almighty to enable him to discharge his duty to him, and next to her Majesty, and then to do all the good he can for his Country.

And then y^e Council adjourned till tomorrow morning 8 a'clock

Friday May the 12th 1704.

Present

HIS Excellency, *John Lightfoot, Robert Carter, John Custis, Philip Ludwell, Henry Duke, Robert Quarry & John Smith Esq^r*

A message from the House of Burgeffes to the Council by M^r *Tully Robinson* and others who brought the following Resolves to w^{ch} they desire the Councils concurrence.

Wednesday May the 3^d 1704

By the House of Burgeffes

Resolved

That the Overseer appointed to oversee the building of the Capitol hath mistaken the directions of the House, and therefore

Ordered

That he cause the partitions on the second floor over the Room where the Burgeffes sitt to be pulled down, and that he pursue the former Resolves of the House concerning y^e same.

Munday May the 8th 1704

A petition of M^r *Henry Cary* was read wherein he prays he may have the three Negro Slaves bought for the use of the Country at the price they cost

Resolved

That M^r *Henry Cary* may have the said three Negro Slaves after the Capitol is finished at the price they cost the Country

Thursday May the 11th 1704

Ordered

That the several sums of money mentioned in the two books of Claims w^{ch} have passed this Session be paid out of the Imposition funds to the several persons concerned therein, and that his Excellency the Govern^r be desired to issue his warrant to Col^o *Robert Carter* the late Treasurer to pay the same accordingly

W^m Randolph Jun^r Cl: Ho Bur

And the said Resolves were severally read & assented to by the Council

And then his Excellency was pleased to sign his assent to y^e same

M^r *Tully Robinson* and others from the House of Burgeffes also presented to y^e Council an ordinance of Assembly empowering M^r *Henry Cary* to make Sale of the Country houses in the City of *Williamsburgh*, to w^{ch} they desire their Hon^{rs} concurrence

And the said Ordinance was thrice read, and assented to by the Council

Ordered

That the Clerk of the Gen^l Assembly carry back the f^d Ordinance to y^e House of Burgeffes and acquaint them that y^e Council have assented thereunto

Ordered

That the Clerk of the Gen^l Assembly carry back to the House of Burgeffes the Resolves & orders this day sent up by them for concurrence, and acquaint them that his Excellency and the Council have assented to y^e same

A message from the Burgeffes to the Council by M^r *Miles Cary* & others who brought the Inrolled Bills past this Session, and acquainted their Hon^{rs} that the House had examined them & that they agreed with the Original engrossed Bills.

And the said Bills were perused by the Council, and

Ordered

Ordered, that the Clerk of the Gen^l Assembly return the same to the House of Burgeffes

Ordered

That the Clerk of the Gen^l Assembly go to the House of Burgeffes, and acquaint them that his Excell^{cy} commands their immediate attendance on him in the Council Chamber, and that they bring with them what Bills they have prepared for his Assent.

And accordingly the House being come to attend his Excell^{cy} Mr *Speaker* addressed himself to his Excell^{cy} to this effect

May it please yo^r Excellency

In obedience to yo^r Excell^{cy}s commands, We her Matys Loyal and dutifull subjects the House of Burgeffes are come to attend yo^r Excell^{cy} and have brought with us several bills and Ordinances agreed upon by the hon^{ble} Council & our selves, to w^{ch} we humbly pray yo^r Excell^{cy}s assent. We have also brought an humble Address to her most sacred Majesty to receive the benefite of yo^r Excell^{cy}s promised favour in getting it presented to her Royal hands

Then the Titles of the said Bills were read by Mr *Speaker*, and are as followeth

An Act for dividing Sittenburn parish

An Act for dividing St Peters parish in New Kent County

An Act Reviving the Act for the better improving the breed of horses & for restraining unruly horses

An Act for repealing the 2^d Act of Assembly made in the year 1664 Entituled an act for the frontiers to be seated with four able hands

An Act for restraining Indians hunting and ranging upon patented lands

An Act for taring and ascertaining the Size of Tobacco hogsheds

An Act for reviving the Impositions on Liquors, Servants and Slaves for one year & no longer

An Act appointing a Treasurer

An Act for removing Criminals from the Goals of the Countys where they shal be apprehended to the publick Goal at Williamsburgh

An Act for allowing a greater number of publick Ordinaries

An Act for raising a publick Levy

Also

An ordinance of Assembly for defence of the Country in times of danger
and

An Ordinance empowering Mr *Henry Cary* to make sale of the Country Houses in the City of *Williamsburgh*

All which Acts & Ordinances were Signed by his Excell^{cy} and the Speaker

And then his Excellency was pleased to exprefs himself to this Effect,

That he had according to the power Vested in him by her Matys Commiffion given that Sanction to the Acts past this Session w^{ch} remained to make them compleat; but recommended to the Gentlemen of the House of Burgeffes in their respective Countys to take care that those Laws be put in execution, for without that all their Labour, & the charge the Country had been at, in making them would be vain & ineffectual.

And then made diverse observations on the Several Acts that had been past In particular, that since this Assembly have repealed the act about the frontiers he recommended to such of the House of Burgeffes as were officers of the Militia to be diligent in the training those under their commands & taking care that they be provided with arms & Ammunition according to Law for their necessary defence.

As to their Request of transmitting the Address to her Majesty, his Excell^{cy} acquainted the House that he was obliged in duty to do it, and would as he had promised them before, represent to her Majesty the true State of this Country, and hoped that since they had so good & gracious a Queen, who studied so much the happiness of all her Subjects, they of this her most ancient & great Colony, had no reason to doubt of her Majesty's gracious Care of them.

That

That he now thankd God this Seffion was come to a good Conclufion, and hop'd their proceedings had been anfwerable to the intent of the Writt by w^{ch} they were called, that he did not intend to give them the trouble of meeting again till next *October*, nor then neither unlefs he received particular commands from *England* for fo doing.

That he thank'd them for their addrefs to himfelf, and in anfwer thereto could only repeal [t]o them what he had faid on former occafions that he would always endeavour to promote the good of the Country, and that whenever he ceafed in his endeavors for her Matys fervice, and to do all the good in his power for *Virginia*, he might ceafe to be a man.

And laftly his Excell^{cy} acquainted them that he had thought fitt to prorogue them till the Eighteenth day of *October* next, and that accordingly they were prorogued.

Vera Copia Teft. Wil Robertfon Cl Genl Affembly

AT A

GENERAL ASSEMBLY

Summoned to meet at her Majestys Royal College of *William & Mary* adjoining to the City of *Williamsburgh* the 17th and begun the 19th of *March* 1702 in the 2^d year of the Reign of our Sovereign Lady *Anne* by the grace of God of *England, Scotland France* and *Ireland* Queen Defender of the faith &c, and thence by several prorogations continued and held at her Maj^{ties} Royal Capitol the 18th day of *April* MDCCV in the IVth year of her Maj^{ties} Reign.

At a General Assembly Summoned to meet at her Majestys
Royal College of *William & Mary* adjoining to the City
of *Williamsburgh* the 17th and begun the 19th of *March* 1702
in the 2^d year of the Reign of our Sovereign Lady *Anne* by
the grace of God of *England, Scotland France and Ireland*
Queen Defender of the faith &c, and thence by several
prorogations continued and held at her Maj^{ties} Royal Capitol
the 18th day of *April* MDCCV in the IVth year of her
Maj^{ties} Reign.

[*April* 18th, 1705.]

Present

HIS Excell^y *Francis Nicholson Esq^r &c, John Lightfoot, Robert Carter, John Custis,*
Philip Ludwell, William Bassett, Henry Duke, John Smith, John Lewis Esq^{rs}
A Petition of *Joseph Chermeson*, and

A petition of *Jean de Jarnal, Gabriel Maupin, Jean Delaune, Jn^o James*
Veillon, & John Guy Rey praying for Naturalizaçon, were read &

Referred to y^e Consideraçon of the House of Burgeses.

A message to his Ex^y from y^e Burg^s by M^r *W^m Robinson* & others desiring his Excy
to issue a New writt for a Burg^s to serve in this Assembly for *Richm^d Co'ty* in room of
M^r *D. Gwyn* dec^d The Council adjourn'd till to morrow morning 9 a'clock.

Thursday April 19th 1705

Present

HIS Excellency, Jn^o *Lightfoot, Robert Carter, Jn^o Custis, Philip Ludwell, William*
Bassett, Henry Duke and Jn^o Lewis Esq^{rs}
Ordered

That the Clerk of the Gen^l Assembly go to the House of Burgeses &
acquaint them that his Excell^y commands their immediate attendance on him in y^e
Council Chamber

The House attending, His Excell^y was pleased to make the following Speech w^{ch}
he afterwards delivered to M^r *Speaker*.

Hon^{ble} Gentlemen

God Almighty having [See J. of H. of B., 1702/3-1712, pp. 87-88.]

Then the Council adjourned till tomorrow morning 9 a'clock

Friday April the 20th 1705

Present

ROBERT CARTER, *Philip Ludwell, W^m Bassett, Henry Duke, Jn^o Smith, John*
Lewis Esq^{rs}

The Council mett and adjourned till to morrow morning 9 a'clock

Saturday

Saturday April 21st 1705

Present

HIS Excellency, *Jn^o Lightfoot, Robert Carter, Jn^o Custis, Philip Ludwell, William Basset, Henry Duke and Jn^o Lewis Esq^{rs}*

A petition of *Jn^o Creekmore Edmund Creekmore Edw^d Creekmore & Henry Dale* being read, representing that the Officers of *North Carolina Governm^t* have made Distress for the Q^urents of the Lands posselt by them lying in *Norfolk County* & held by vertue of a patent from his late Excell^{cy} *Sr Edm^d Andros*

Resolved

That the said petition be sent to y^e House of Burgeses to whom y^e Council recommend to take into consideration the most effectual method for protecting the Inhabitants of this Colony that have patented Lands on y^e Confines of *North Carolina*.

Ordered

That a copy of part of a lett^r from the R^t hon^{ble} the Lords Comm^{rs} for trade & plantations of the 4th Jan^{ry} 1⁶⁹⁹/₇₀₀ relating to the Boundaries between this Governm^t & *Carolina* be sent to the House of Burgeses for their consideration.

Ordered

That the Clerk of the Gen^l Assembly carry to the House of Burgeses the following message in writing

By his Excellcy & the hon^{ble} Council

M^r Speaker & Gent of the house of Burgeses

His Excell^{cy} having [See J. of H. of B., p. 91.]

His Excell^{cy} absent

A message from the Burgeses to y^e Council by M^r *W^m Randolph* & others that they were commanded by the House to desire a Conference with their Hon^{rs} concerning the most proper methods for securing the peace of the Country ag^t y^e Indians

His Excell^{cy} present

A message from the Burgeses to his Excell^{cy} by M^r *Miles Cary* & others who brought to his Ex^{cy} the following Resolve viz

April 20th 1705

By the House of Burgeses.

Resolved nemine contradicente

That this House doth heartily concur with his Excell^{cy} that *Munday* next being the 23^d day of this moneth be kept by the Gen^l Assembly as a publick day of thanksgiving to Almighty God for the causes mentioned in his Excell^{cy}'s speech.

Resolved

That the Council do agree to the Conference desired by the House of Burgeses concerning the most proper method for securing the peace of the Country ag^t the Indians; and *Robert Carter, Jn^o Custis & Philip Ludwell Esq^{rs}* were appointed to manage y^e f^d Conference.

Ordered

That y^e Clerk of the Gen^l Assembly go to the House of Burgeses and acquaint them that y^e Council have appointed three of their members to meet such a number of the Burgeses as the House shal appoint concerning y^e most proper method for securing the peace of the Country ag^t y^e Indians, and that y^e f^d Conferrees will be ready in the Conference Room on *tuesday* next at ten a clock in the forenoon.

Resolved

That the Council do concur with his Excell^{cy} that *Munday* next be kept by the Gen^l Assembly as a publick day of Thanksgiving to Almighty God for the causes mentioned in his Excell^{cy}'s Speech

Then y^e Council adjourned till *tuesday* morning 9 a'clock.

Tuesday

Tuesday April 24th 1704 [1705]

Present

HIS Excellency, *Jn^o Lightfoot, Rob^t Carter, Jn^o Custis, Philip Ludwell, W^m Baffett, Jn^o Lewis Esq^r*

A Letter from one *James Wood* to Cap^t *George Braxton* of *King & Queen* County giving an Acco^t of a Robbery committed by Indians in y^e Upper parts of that County read &

Referred to the confideraçon of y^e Houfe of Burgeffes

A petition of Coll^o *James Taylor* for Leave to go upon a difcovery on the back parts of *King & Queen* County Read &

Refer'd to y^e confideration of the Houfe of Burgeffes.

His Excellency was pleafed to deliver to the Gentlemen appointed to manage the Conference with the Burgeffes concerning y^e Indians, a Memorandum concerning the care that hath been taken to ranfom y^e *Nattoway* King.

A Letter from his Excell^{cy} Coll^o *Seymour* Gov^r of *Maryland* concerning y^e Indians Read &

Referred to y^e confideraçon of the Houfe of Burgeffes

His Excell^{cy} abfent

A meffage from the Burgeffes to the Council by Mr *Benj^a Harrifon* & others that they were commanded by the Houfe to acquaint their Hon^{rs} that in purfuance to their Hon^{rs} agreem^t to the Conference defired by the Burgeffes, they had appointed fome of their members to attend the members of the Council appointed to manage that Conference.

Then y^e Managers for the Council went to the Conference.

Jn^o Smith Esq^r prefent

The Council adjourn'd till to morrow morning 9 a'clock

Wednesday April y^e 25th 1705

Present

HIS Excellency, *Jn^o Lightfoot, Henry Duke, Jn^o Smith, Jn^o Lewis Esq^r*

A petiçon of *Cha^s Robinson, John Robinson & Harry Beverley* Feoffees in truſt for y^e Town Land in *Middlefex* County praying to be heard before the Gen^l Affembly touching the Building of a Court houfe for y^e faid County on y^e Town land &c Read &

Referred to the confideration of the Houfe of Burgeffes.

The Grievances of the freeholders of *Middlefex* County

The Grievance of *New Kent* County

The Grievances of *King & Queen* County

The Grievances of *King William* County were feverally read &

Referred to y^e confideration of the Houfe of Burgeffes

A propoſition from *York* County, & petiçon of diverſe Merchants & others for Leave to ſhip off Tobacco in hogſheads made & packd before y^e late A^ct for taring & afcertaining the Size of Tobacco hh^{ds}, and

A petiçon of the Inhabitants of the Upp^r parts of *S^t Stephens* pariſh in *King & Queen* County praying a Diviſion of y^e faid pariſh,

Were feverally read & Refer'd to y^e confideration of the Houfe of Burgeffes

The feveral petiçons and Claimes of *James Mofs* Gent Sherif of *New Kent* Rob^t *Bird* Gent. Sherif of *King & Queen*, & *Rich^d Covington* Gent Sherif of *Effex* for allowance of their charges &c for Conveying the *Nanſatico* Indians prifoners through y^e ſd Countys, Read &

Referred to y^e confideraçon of the Houfe of Burgeffes

A petiçon of *Jn^o Redwood* praying that he may be p^d in money for the diet of the *Nanſatico* Indians, and alſo

A petition of the sd *Jn^o Redwood* praying allowance of his Sallary as Keeper of the publick prifon, and

A petition of *W^m Chaplyn* praying Allowance of his Sallary were Severally read & Referred to y^e confideracon of the Houfe of Burgefles

Ordered

That the Clerk of the Gen^l Affembly carry to the Houfe of Burgefles the following Meffage in writing from his Excell^{cy} & the Council

M^r Speaker & Gentlemen of the Houfe of Burgefles

His Excell^{cy} and the Council having [See J. of H. of B., pp. 93-4.]

Ordered

That the Clerk of the Gen^l Affembly carry the following meffage in writing from his Excell^{cy} to the Houfe of Burgefles

M^r Speaker & Gentlemen of the Houfe of Burgefles.

In my progreffs [See J. of H. of B., pp. 95-6.]

Rob^t Carter Jn^o Custis & Ph: Ludwell Efqs present

The anfwer of the Court of *Middlefex* County to the petition of y^e feoffees in trust for the Town Land in *Middx* County & order of Council thereon, was read & Referred to y^e confideracon of the Houfe of Burgefles

And then y^e Council adjourned till tomorrow morning ten a'clock

Thursday April 26th 1705

Present

JOH^N LIGHTFOOT, *Robert Carter, John Custis, Philip Ludwell, Henry Duke, John Smith and John Lewis Efqs*

Coll^o Carter from the Conference with the Burgefles concerning y^e moft proper method for fecuring the peace of the Country ag^t the Indians. Reported that the Conferrees had come to feveral Refolutions therein w^{ch} he read in his place and afterwards deliver'd in at the Table, & are as follow *viz*

That the old Indian Man named *Madox Will*, and the woman named *Betty* be fet at liberty. That the other men, the Youths about 12 years old & the women named *Sarah & Monafia* be tranfported to fome of the Iflands & there fold to be fervants for Seven years, and afterwards to be free, with a provifo that they fhall never return to this Governm^t on pain of forfeiting their Lives.

That the other women & the Girles about 12 years old be fent to the Eaftern fhore & bound to be ferv^{ts} for feven years, afterwards to be free in that place with a provifo that if ever they are found out of the Countys of *Accomack & Northampton* (without Licence) they fhall forfeit their Lives

That y^e children under twelve years be bound out amongft y^e *Engliffh* here to be Servants till they are twenty four years old.

That the bounds for the *Nottoway* Indians land be laid out for them as followeth *Viz* a Circle three miles round their Fort where they now live, and another parcel of Land on the Southfide of *Nottoway* River Six miles Square, that is to fay begining upon the River and the Lower end of *Waricake* old fields, and runing three miles up the River, and three miles down, and fix miles backwards into the woods upon Right Angles with y^e Main Courfe of the River in that Six miles.

That the bounds of the *Maherin* Indians lands be laid out as followeth *viz* a ftreight Line fhall be run up the middle of the neck between *Maherin* River & *Nattoway* River from y^e mouth of y^e f^d Rivers fo far as will include between that Line & *Maherin* River fo much Land as will be equal in quantity to a Circle of three miles round their Town.

That provifion be made that when any *Engliffhman* fhall do any Injury to an Indian, upon Complaint made to y^e next Magiftrate he fhall fend a warrant for the perfon complained ag^t and if he finds the matter within his Cognizance he fhall do y^e Indian y^e

fame

same right that should be done to an *Englishman*; and if the matter is not within the Cognizance of one Justice and he sees just cause, he shall bind the offender over to the next County Court, who shall proceed thereupon & give ye same redress to ye Indian that an *Englishman* could obtain upon regular process.

That provision be made that the late Act prohibiting Indians hunting upon patented Lands may not be extended to the *Pamunkey* Indians.

And ye f^d Coll^o *Carter* also Reported that upon consideration of sev^l Lett^{rs} & papers relating to the Indians on the head of *Potomack* River & in *Maryld* the Conferrees were of opinion that they were most proper to be considered by the Burgeesses in their House.

A Petition of M^r *Chicheley Corbin Thacker* praying allowance of his acco^t for binding a Record Book belonging to ye Sec^{ry}s office,

A petition of the f^d M^r *Chicheley Corbin Thacker* in behalf of M^r Sec^{ry} *Jenings* praying allowance for sev^l military Commissions issued out of the Secrys office

A petition of M^r *Charles Chifwell* praying allowance for publick Services as Clerk of the Secretarys office

A petition of *Thomas Wynne* Interp^r of ye *Nottoway Maherine & Nansem^d* Indians, and

A petition of *James Adams* Interp^r to the *Pamunky & Chicahominy* Indians praying allowance for their Sallarys

Were Severally read & Referred to ye consideration of ye House of Burgeesses

And then ye Council adjourned till to morrow morning 9 a'clock

Friday April ye 27th 1705

Present

HIS Excellency, Jⁿ Lightfoot, Rob^t Carter, Jⁿ Custis, Philip Ludwell, Henry Duke, Jⁿ Smith and Jⁿ Lewis Esq^{rs}

His Excellency laying before the Council a Resolve of the House of Burgeesses presented to him last night by M^r W^m Randolph & others in the following words viz

Thursday April 26th 1705

By ye House of Burgeesses

Resolved

That her Matys ship the *Strombulo* Capt *Matthew Teate* Com^{der} is not a Sufficient Convoy for the Ships now in the Country, and therefore that it is not either for her Matys Service or the Countrys interest that ye f^d Ships should sail with her.

Resolved

That the Council do agree with the House of Burgeesses that her Matys ship *Strombulo* is not a sufficient Convoy for ye Ships now in the Country, & that it is not for her Matys Service or the Countrys interest that ye said ships should sail under her Convoy.

Ordered

That the Clerk of the Gen^l Assembly carry the following message in writing from his Excell^{cy} to ye House of Burgeesses

M^r Speaker & Gentlemen of the House of Burgeesses

I have received [See J. of H. of B., p. 97.]

The Council adjourned till tomorrow morning 9 a'clock

Saturday April 28th 1705

Present

JOHAN LIGHTFOOT, Jⁿ Custis & Philip Ludwell Esq^{rs}
The Council mett, and Adjourned till *Munday* at one a'clock in ye afternoon

Monday

Monday April 30th 1705

Present

JOHN LIGHTFOOT, Rob^t Carter, John Custis, Philip Ludwell, William Bassett,
Henry Duke, Jⁿ Smith, Jⁿ Lewis Esq^{rs}
The Council mett and adjourned till to morrow morning 9 aclock

Tuesday May the 1st 1705

Present

HIS Excellencie, Jⁿ Lightfoot, Rob^t Carter, Jⁿ Custis, Philip Ludwell, Will^m
Bassett, Henry Duke, Jⁿ Smith, Jⁿ Lewis Esq^{rs}
Ordered

That the Clerk of the Gen^l Affembly go to the House of Burgeffes and acquaint them that his Excellency commands their immediate attendance on him in the Council Chamber

Absent *John Lightfoot, Rob^t Carter, Philip Ludwell and William Bassett Esq^{rs}*

The House of Burgeffes attending, His Excell^{cy} was pleased to make the following Speech

M^r Speaker & Gentlemen of the House of Burgeffes.

I am heartily forry [See J. of H. of B., pp. 101-102.]

A meffage to his Excell^{cy} from y^e Burgeffes by M^r Corbin & others that they were Com^ded to wait on his Ex^{cy} & to desire him to issue a New Writt for y^e election of a Burgefs to serve in this Affembly for *Elizabeth City* County in y^e room of *Anth^o Armistead* Gent deceased

The Council adjourned till to morrow morning 9 aclock.

Wednesday May 2^d 1705

Present

HIS Excellencie, John Lightfoot, Jⁿ Custis, John Smith, Jⁿ Lewis Esq^{rs}
The petiçon of *James Minge* praying allowance for drawing & calculating eight large Dyals for the Capitol, and
a petiçon of *Jⁿ Francis Decopet* praying for Naturalizaçon
Were Severally Read & Refer'd to y^e confideraçon of the House of Burgeffes
And then y^e Council adjourned till to morrow morning 9 aclock.

Thursday May the 3^d 1705

Present

HIS Excellency, John Lightfoot, Robert Carter, Jⁿ Custis, Philip Ludwell, W^m
Bassett, Henry Duke, Jⁿ Smith, Jⁿ Lewis Esq^{rs}
Ordered

That the Clerk of the General Affembly carry the following meffage in writing from his Excell^{cy} & the Council to the House of Burgeffes

M^r Speaker & Gentlemen of the House of Burgeffes

His Excell^{cy} having received [See J. of H. of B., p. 106.]

The petiçon of Coll^o *James Taylor* in behalf of fevⁿ of the Inhabitants of *King & Queen* County relating to y^e clearing *Mattapony* River & making it Navigable

Read & Referred to y^e confideration of the house of Burgeffes

The Return of Major *Allen* to an ord^r of Council for laying out the dividing Lines between *Surry, Isle of Wight, Nanfemond & Prince George* Countys read and Referr'd to y^e confideraçon of the House of Burgeffes

Then the Council adjourned till tomorrow morning 9 aclock

Friday

Friday May 4th 1705

Present

J^N^O LIGHTFOOT, Robert Carter, Jⁿ^O Custis, Philip Ludwell, W^m Basset, Henry Duke, Jⁿ^O Smith, Jⁿ^O Lewis Esq^{rs}
The Council mett and adjourned till tomorrow morning 9 a'clock

Saturday May 5th 1705

Present

HIS Excellencie, Jⁿ^O Lightfoot, Rob^t Carter, Jⁿ^O Custis, Philip Ludwell, W^m Basset, Henry Duke, Jⁿ^O Smith, Jⁿ^O Lewis Esq^{rs}
The Council adjourned till Munday at one a'clock afternoon

Munday May 7th 1705

Present

J^N^O LIGHTFOOT, R Carter, Jⁿ^O Custis, Philip Ludwell & Jⁿ^O Smith Esq^{rs}
A message from the House of Burgeffes to y^e Council by M^r Joseph ffofter & others who brought the following Bills viz

A bill Entituled *An Act concerning the Nanfiatico & other Indians.*

A Bill Entituled *An Act for settling and ascertaining the current Rates of forreign Coins in this Dominion, &*

A Bill Ent *an act permitting the exporting and disposing of Tobacco pack'd in old Cask.* To w^{ch} they desire the concurrence of the Council

An Engrossed bill from the Burgeffes Entituled *An Act concerning the Nanfiatico and other Indians*, read the first time, &

Ordered to be read a 2^d time

An Engrossed bill from the Burgeffes Ent *an Act for settling & ascertaining y^e Current rates of forreign Coins in this Dominion*

Read the first time & Ordered a 2^d reading

An Engrossed bill from the Burgeffes Ent *An Act permitting the exporting & disposing of Tobacco pack'd in old Cask* read the first time &

Ordered a 2^d reading

Jⁿ^O Lewis Esq^r present

And then the Council adjourned till to morrow morning 10 a'clock.

Tuesday May 8th 1705

Present

HIS Excellency, John Custis, Philip Ludwell, Jⁿ^O Smith, John Lewis Esq^{rs}
Ordered

That the Clk of the Gen^l Affembly carry the following message from his Excell^{cy} to the House of Burgeffes

M^r Speaker & Gentlemen of the House of Burgeffes

I recommend to you [See J. of H. of B., p. 109.]

The acco^t of the Charges of the Nottoway Maherin & Pamunky Indians due to Jⁿ^O Redwood read &

Refer'd to the confideraçon of the House of Burgeffes

Edward Rofs's Claim for ferrying over James River twenty nine Indians

Read & Ref^d to y^e confideraçon of the House of Burgeffes.

present John Lightfoot, Robert Carter, W^m Basset & Henry Duke Esq^{rs}

A Bill Entituled *an Act concerning the Nanfiatico & other Indians* read y^e 2^d time & Committed for amendments to Rob^t Carter Jⁿ^O Custis, Jⁿ^O Smith & Jⁿ^O Lewis Esq^{rs}

A Bill Ent an Act permitting the exporting & disposing of Tobacco packd in old Cask read the 2^d time & committed for amendments to Jn^o Lightfoot, Philip Ludwell, W^m Baffet & Henry Duke Esq^{rs}

And then the Council adjourned till afternoon

But before they had withdrawn

His Excellency laid before the Council several Resolves of the House of Burgeffes presented to him yesterday by Col^o Gawin Corbin & others as an answer to his Excell^{cy}s Speech on the 1st instant, and ordered them to be entered here, which Resolves are as follows

Friday May y^e 4th 1705

By the House of Burgeffes

Resolved that it the opinion of this House

That his Excellency the present Governor has a great respect for the welfare & prosperity of this Country, and that the better part of her Majestys good & loyal Subjects here are not of y^e same Sentiments with that part of the Council w^{ch} have accused his Excell^{cy} of Mal-adminiftration

Saturday May 5th 1705

Resolved

That the publick peace & tranquility of the Country is under no danger by his Excell^{cy}s adminiftracon, and that the far greater part of the Inhabitants are very quiet and well fatisfied being in peace and quietnefs without y^e least desire of having his Excell^{cy} removed from being their Governor.

Resolved

That it doth not appear that the people whom this House doth represent have complained ag^t his Excell^{cy} for any hardships or Mal-adminiftration.

Resolved nemine contradicente & accordingly Ordered

That y^e Records belonging to y^e Secretarys Office, and the Records of the Affembly Office be removed to the Capitol with all convenient expedition, and that the respective Clerks take care to see the same done.

Resolved

That it no ways appears to this House that his Excell^{cy} hath any design to introduce any arbitrary power by a Military Force of the fifth men or any other way, or that he hath endeavoured to invade the Libertys and propertys of her Matys Subjects here.

Resolved

That his Excell^{cy} doth still merit the worthy character w^{ch} hath been heretofore given him by the House in several Addresses

Resolved

That whoever pretends to take upon himself to represent the Country in general under any Grievance or preffure without the consent & authority of this House so to do, is thereby guilty of an unwarrantable Act tending to the prejudice of the Country

W^m Randolph Jun^r Cl Ho Burg^s

Then his Excell^{cy} desired Coll^o Baffet to declare his reasons for his absence when his Excell^{cy} made his Speech on the 1st instant, because it might be made use of as if he was a party with the other Gentlemen that have complain'd.

And Coll^o Baffet thereupon Declared that the reason of his withdrawing was because he would no way be concerned in the difference depending in Engl^d between his Excell^{cy} and the Gentlemen of the Council that have complain'd ag^t him.

Post Meridiem

Present as before

COLLO Lightfoot from the Com^{tee} appointed to prepare amendm^{ts} to the Bill Ent an Act permitting the exporting and disposing of Tobacco packd in old Cask Reported the amendmts made by them to the 1st Bill, w^{ch} were read & agreed to and

Ordered that y^e said Bill with the amendm^{ts} be read a 3^d time

Coll^o

Coll^o *Lightfoot* from the Com^{tee} to whom it was referred to prepare amendm^{ts} to the Bill Ent *an Act for settling and ascertaining the current rates of Forreign Coins in this Dominion*, Reported the amendm^{ts} made by them to the said Bill w^{ch} were read & agreed to, &

Ordered that the said Bill with the amendm^{ts} be read a 3^d time

Coll^o *Carter* from the Com^{tee} to whom it was referred to prepare amendm^{ts} to the Bill Ent *an Act concerning the Nanfiatico & other Indians* Reported the amendm^{ts} made by them to y^e 1st Bill, w^{ch} were read & agreed to, and

Ordered that y^e 1st Bill with y^e amendm^{ts} be read a 3^d time

And then y^e Council adjourned till tomorrow morning 9 a'clock.

Wednesday May 9th 1705

Present

ROBERT CARTER, Jn^o *Custis*, Philip Ludwell, W^m Baffett, Henry Duke, John Smith and Jn^o Lewis Esq^{rs}

A Bill Ent *An Act concerning the Nanfiatico & other Indians* read the 3^d time with the amendm^{ts}

Resolved

That the Bill with the amendments do pass

John Lightfoot Esq^r present

A bill Ent *an Act for settling and ascertaining the current rates of forreign Coins in this Dominion* was read the 3^d time with y^e amendm^{ts}

Resolved

That the Bill with the amendments do pass.

A Bill Entituled *An Act permitting the exporting & disposing of tobacco pack'd in old Cask* was read the 3^d time with the amendm^{ts}

Resolved

That the Bill with the amendments do pass.

Ordered

That the Clerk of the Gen^l Assembly carry to the House of Burgeffes The Bill Ent *an Act concerning the Nanfiatico & other Indians*. The Bill Ent *an Act for settling & ascertaining the current rates of forreign Coins in this Dominion*, and the Bill permitting the Exporting and disposing of tobacco pack'd in old Cask; and acquaint them that the Council have agreed to the said three Bills with diverse amendments to w^{ch} they desire the concurrence of the House of Burgeffes.

W^m Baffet Esq^r absent

A message from the Burgeffes to y^e Council by M^r *Miles Cary* & others who brought the Book of publick Claims pass'd by the House of Burgeffes and desired the Councils concurrence thereto.

The Council proceeded upon reading the Book of Claims made up this Session and the 1st book being read through

Resolved

That y^e said Book of Claims do pass

Ordered

That the Clerk of the Gen^l Assembly endorfe thereon the 1st Book of Claims that y^e same is assented to by the Council.

A message from the Burgeffes to y^e Council by M^r *Benj^o Harrison* & others that the House had read the amendments made by their Hon^{rs} to the Bill Entituled *an Act for settling & ascertaining the current rates of forreign Coins in this Dominion*, & had agreed to all the amendm^{ts} except y^e last, and desire a Conference on the Subject matter of y^e 1st amendment

Resolved

That the Council do agree to an immediate Conference with the Burgeffes on the Subject matter of the said amendm^t, and Rob^t *Carter* Jn^o *Custis* and *Philip Ludwell* Esq^{rs} were appointed to mannage the 1st Conference

Ordered

Ordered

That the Clk of the Gen^l Assembly go to the House of Burgeffes & acquaint them that the Council agree to y^e Conference desired by them on the subject matter of the amendm^t made to the Bill Ent *an Act for settling & ascertaining the current rates of forreign Coins in this Dominion*, and have appointed three of their members to manage the f^d Conference with such a number of the Burgeffes as the House shal think fitt, and that y^e managers for the Council are now ready in the Conference Room.

And then the managers went to the Conference

And being returned *Rob^t Carter Esq^r* Reported that the managers for the Council had mett those of the Burgeffes and the Burgeffes had offerred their reasons for disagreeing to the amendment to the Bill for settling & ascertaining the current rates of forreign Coins in this Dominion, and the Council had also offered their reasons for adhering to the f^d amendment

A message from the Burgeffes to y^e Council by Mr *Tully Robinson* & others that y^e House of Burg^s had taken into consideration their Hon^{rs} amendments to the Bill Entitled *an Act concerning y^e Nanfiatico & other Indians*, & had agreed to part, & some part they could not agree to, & therefore desired a Conference with their Hon^{rs} on the said amendment

Resolved

That the Council do agree to the Conference desired by the Burgeffes on the Subject matter of their amendm^{ts} to the Bill Ent *an Act concerning y^e Nanfiatico & other Indians*, and

Ordered

That the Gentlemen who managed y^e Conference on the amendm^{ts} to the Bill for settling & ascertaining y^e Current rates of forreign Coins in this Dominion be appointed managers in this Conference.

Ordered

That the Clerk of the Gen^l Assembly go to the House of Burgeffes, and acquaint them that the Council agree to the Conference desired by the House on the Subject matter of the amendments made by the Council to the bill Ent *an Act concerning y^e Nanfiatico & other Indians*, and have appointed three of their members to manage y^e f^d Conference with such a number of the Burgeffes as the House shal think fit & that the managers for the Council are now ready in the Conference Room

Then the Managers went to the Conference

And being returned *Rob^t Carter Esq^r* Reported that the managers appointed by the Council had mett those from the Burgeffes on the amendm^{ts} to the Bill concerning the *Nanfiatico* & other Indians; and that the matter insisted on by the Burgeffes was for expunging that amendm^t whereby *Madox Will* & the old Indian woman *Betty* were declared free, and gave several reasons ag^t that amendment

Upon consideration of the reasons offered by the Burgeffes at the Conference and now Reported by the managers for the Council for expunging that amendm^t made by their Hon^{rs} to y^e bill concerning y^e *Nanfiatico* & other Indians, w^{ch} excepts the old Indian man named *Madox Will* & the woman named *Betty* from transportation & declares them to be sett at liberty

Ordered

That the Clerk of the Gen^l Assembly acquaint the House of Burgeffes that the Council are willing to recede from that amendment.

A message from the Burgeffes to the Council by Mr *Edw^d Hill* & others who acquainted their Hon^{rs} that the House had agreed to y^e amendm^{ts} made by the Council to the Bill Entitled *an Act for settling & ascertaining y^e curr^t rates of forreign Coin in this Dominion*, and also to the amendm^{ts} to the Bill Ent *an Act permitting the exporting & disposing of tobacco packd in old Cask*, and had inserted them therein.

And

And the said Bills & amendm^{ts} being examined

Ordered

That the Clerk of the General Affembly return y^e f^d Bills to the Houfe of Burgeffes and acquaint them that the Council have compared the Bills & amendm^{ts}, and are Satisfyed that the amendments are truly inferted.

The Council adjourned till tomorrow 10 aclock in the forenoon

Thursday May 10th 1705

Present

JOHN LIGHTFOOT, Rob^t Carter, John Custis, Philip Ludwell, Henry Duke, Jn^o Smith and Jn^o Lewis Esq^{rs}

His Excellency having laid before the Council a lett^r from M^r John Croft giving an Acco^t of a Veffell come in to Kiquotan that was chafed by a Briganteen Supposed to be a *French Privateer* near Smiths Island

Ordered

That y^e f^d Lett^r be referred to y^e confideraçon of the houfe of Burgeffes

Ordered

That the Clerk of the Gen^l Affembly carry the following meffage in writing from his Excell^{cy} to the Houfe of Burgeffes

M^r Speaker & Gent of the House of Burgeffes

Since I underftand [See J. of H. of B., p. 114.]

Ordered

That the Clk of the Gen^l Affembly carry the following meffage in writing from his Excell^{cy} to the houfe of Burgeffes.

M^r Speaker & Gent of y^e House of Burgeffes

Upon perufal [See J. of H. of B., p. 115.]

Ordered

That the Clerk of the Gen^l Affembly carry the following meffage in writing from his Excell^{cy} to y^e Houfe of Burgeffes

M^r Speaker & Gentlemen of the house of Burg^s

M^r Treafurer having made [See J. of H. of B., pp. 115-116.]

Abfent. *Philip Ludwell & Henry Duke Esq^{rs}*

A meffage from the Burgeffes to the Council by M^r W^m Byrd & others who brought a bill Ent *An a^{ct} to enable the Court of King & Queen County to purchafe Land to build a Town*, and alfo a Bill Ent *An A^{ct} for Naturalizaçon of Claude Philip De Richebourg, Francis Ribot John Joanny Peter fiaure James Champagne & others*, to w^{ch} they defire the Councils concurrence

A Bill Ent *an A^{ct} to enable the Court of King & Queen County to purchafe Land to build a Town* read the firft time &

Ordered a fecond reading

A Bill Ent *an A^{ct} for Naturalizaçon of Claude Philippe de Richburg Francis Ribot John Joanny Peter Faure & James Champayne & others* read the firft time &

Ordered a fecond Reading

Then the Council adjourned for an hour

THE Council being mett again

A meffage was brought from the Burgeffes to the Council by M^r *Joseph ffofter* & others who brought the Bill Ent *an A^{ct} concerning the Nanfiatico & other Indians* and acquainted the Council that the houfe had agreed thereto with the amendments propofed by the Council & had inferted them therein

The

The Council having perused the sd Bill

Resolved

That y^e sd Bill as it is amended be agreed to.

Ordered

That the Clerke of the Gen^l Affembly return y^e f^d Bill to y^e House of Burgeffes, and acquaint them that the Council have perused y^e same, & are satisfi^d that y^e amendm^{ts} are rightly inferted.

A motion being made that the bill Ent *an Act to enable the Court of King & Queen County to purchase land to build a Town* & the Bill for Naturalizaⁿ of *Claude Philyppe de Richebourg* &c be now read a 2^d time

Resolved

That the f^d two Bills (being private Bills) be now read a 2^d time

A meffage from the Burgeffes to his Excell^{cy} by Mr *James Wilfon* & others who brought the following anfwer to his Ex^{cy}s meffage concerning the Claim of Cap^t *Nich^s Smith*

May it please yo^r Excell^{cy}

Upon confideration [See J. of H. of B., p. 118.]

Mr *James Wilfon* and others from the Burgeffes prefented to his Excell^{cy} the following anfwer to his Ex^{cy}s meffage concerning the *Nanfatico* Indians

May it please yo^r Excellency

Upon confideraⁿ [See J. of H. of B., p. 118.]

A Bill Entituled *an Act for Naturalizaⁿ of Claude Philippe de Richbourg Francis Ribot Peter Faure John Joanny, James Champagne & others*

Read the 2^d time & Committed for amendm^{ts}

A Bill Ent *An Act to enable the Court of King & Queen County to purchase Land to build a Town*, Read the 2^d time &

Ordered to be read a third time

And then the Council adjourned till to morrow 10 a'clock in the forenoon

Friday May 11th 1705

Present

HIS Excellencie, *John Lightfoot, Rob^t Carter, Jn^o Custis, Philip Ludwell, Henry Duke, John Smith and John Lewis Esq^{rs}*

Ordered

That the Clerk of the Gen^l Affembly carry to the House of Burgeffes the following meffage in writing from his Excellency

Mr Speaker & Gent of the House of Burgeffes

I have perused yo^r Refolves [the House Journal has "Meffage"] [See J. of H. of B., p. 119.]

A meffage from the Burgeffes to y^e Council by Mr *James Wilfon* & others who brought fevⁿ Refolves to w^{ch} they desire the Councils concurrence

Which Refolves being read were agreed to, and are as follows *viz*

Resolved

That the roof of the Capitol & prifon be tarr'd again this Summer as often as the overfeer of the Building fhall think fitt.

That y^e Wainfcot & other wooden work on the firft & fecond floor in that part of the Building where the Gen^l Court is, be painted like marble, & the wainfcot & other wooden work on the two firft floors in the other part of the Building fhall be painted like wainfcot, and the Doors & other wooden work in the roof fhall be painted white, and the Cupulo to be painted in fuch manner as fhall be directed by the Overfeer of y^e Building

That there be fix large Sundials painted upon y^e Cupulo

That

That twelve hundred foot of flag stone to pave the walks that lead to the Capitol be sent for to *England*.

That the Spring be laid round with the peices of the broken flagg stones to keep it from filling up

That there be a privy House build convenient to y^e Capitol upon the Hillside Eight foot wide and sixteen foot long with a lock upon every door.

That a pair of Stocks pillory & Whipping poft be built near the Capitol

Ordered

That y^e Clerk of the Gen^l Affembly return the f^d Refolves to the Houfe of Burgeffes & acq^t them that the fame are affented to by his Ex^{cy} & y^e Council

A Bill Entituled *an Act to enable the Court of King & Queen County to purchase Land to build a Town* read y^e 3^d time, and thereupon

Resolved

That the Bill do pafs without any amendm^t

Ordered that the Clerk of the Gen^l Affembly carry the f^d Bill to the houfe of Burgeffes and acq^t them that the Council have agreed thereto without any amendm^t

A Bill Entituled *an Act for Naturalizaçon of Claude Philippe de Richebourgh Francis Ribot Peter Faure John Joanny James Champagne & others* being amended in Council, & y^e amendments twice read,

The f^d Bill with the amendm^{ts} was read y^e 3^d time

Resolved

That the Bill with y^e amendm^{ts} do pafs

Ordered

That the Clerk of the Gen^l Affembly carry y^e f^d Bill to the houfe of Burgeffes and acquaint them that y^e Council have agreed thereto with fome amendments to w^{ch} they defire the concurrence of that Houfe.

A meffage from the Burgeffes to the Council by M^r *Rice Hoe* & others who brought fome Refolves of the Houfe to w^{ch} they defire their Hon^{rs} concurrence

Which Refolves were read and agreed to, & are as follow

Resolved

That *Thomas Whitby* be paid according to his petiçon

Resolved

That it is the opinion of this Claufe [Houfe] that *Jn^o Martin* have the Indians now in prifon to tranfport upon the terms laid down in his petition if he will oblige himfelf to return a Certificate under the hand of the Govern^r of the place, to w^{ch} he tranfports them that he hath fold them according to the time Limited in the act of Affembly.

Resolved

That the Goal Keeper fhall charge no more for keeping the Indians in his cuftody till they are carryed off than after the rate heretofore allowed.

Then his Ex^{cy} was pleaſed to ſign his affent to the f^d Refolves.

The ſaid M^r *Hoe* brought the Bill Entituled *an Act for Naturalization of Claude Philippe de Richebourgh, Francis Ribot Peter ffaure, John Joanny James Champagne and others* and acquainted the Council that the Houfe had agreed to the amendments propoſed by their Hon^{rs} to the ſaid Bill and had inferted them therein

And the f^d Bill being perufed by y^e Council

Ordered

That y^e Clk of y^e Gen^l Affembly return y^e f^d Bill to the Houfe of Burgeffes and acq^t them that the Council have examined y^e ſame & are ſatisfied that the amendm^{ts} are truly inferted, and alfo carry back y^e Refolves brought by M^r *Hoe* & acq^t the Houfe that y^e ſame are agreed to

A meffage from the Burg^s to his Excellency & the Council by M^r *W^m Randolph* & others, that they were commanded by the Houfe of Burgeffes to wait on his Excell^{cy} & their Hon^{rs} with a Congratulatory Addreſs to her Majeſty prepared by the Houfe to w^{ch} they pray his Excell^{cy} & their Hon^{rs} concurrence

A meffage to the Council by M^r *George Marable* & others who brought M^r *Treasurers* acco^{ts} of the Impositions paffed by the Houfe of Burgeffes and defired their Hon^{rs} concurrence.

The Congratulatory Addrefs to her Majefty prepared by the Houfe of Burgeffes being read was agreed to with fome Additions

Ordered

That the Clerk of the Gen^l Affembly carry the f^d Addrefs to the Houfe of Burgeffes and acquaint them that his Excell^{ty} & y^e Council have agreed thereto with fome Additions to w^{ch} they defire the concurrence of that Houfe

A petition of *Charles Heydon*, *John Jones* and others Mafters of fhips now in *York* River, and alfo

A petition of *Robert Bailly*, *Joseph Smith* and *Hugh Arbuthnot*, M^{rs} of Ships in behalf of themfelves & others Mafters of fhips in *Potomack* & *Rapp*^a Rivers praying leave to fail for *Engld* with the *Strombulo* man of war,

Were feverally Read & Refer'd to y^e confideration of the Houfe of Burgeffes

M^r *Treasurers* acco^{ts} of the Impositions on Liquors Servants & Slaves being examined were paffed by the Council

The Council abfent

A meffage from the Burgeffes to his Excell^{ty} by M^r *Miles Cary* & others who brought the Book of publick Claimes paff with feveral Refolves relating to the Capitol, agreed on by the Council & Burgeffes & pray his Excell^{ty}s affent

Whereupon his Excell^{ty} was pleafed to fign his Affent to the f^d Book of Claims & Refolves.

Ordered

That the Clerk of the General Affembly carry the following meffage in writing from his Excell^{ty} to the Houfe of Burgeffes.

M^r Speaker & Gentlemen of the houfe of Burgeffes

I propofe to you [See J. of H. of B., p. 122.]

The Council adjourned till to morrow morning 9 a clock

Saturday May the 12th 1705

Prefent

HIS Excellency, Jn^o *Lightfoot*, *Robert Carter*, *John Custis*, *Philip Ludwell*, *Henry Duke*, Jn^o *Smith* and *John Lewis* Efq^{rs}

A meffage to his Excell^{ty} & the Council from the Houfe of Burgeffes by M^r *W^m Randolph* and others, that they were commanded by the Houfe to wait on His Excellency & their Hon^{rs} with the Congratulatory Addrefs to her Maty fairly tranfcrib'd with the Additions propofed by his Excell^{ty} & their Hon^{rs}

Then the faid Addrefs was read over and Sign'd by his Excell^{ty} & the Council, and is as follows

To the Queen's moft Excell^t Majefty

May it please Yo^r Maj^{ty}

We Yo^r Majeftys moft Loyal [See J. of H. of B., p. 121.]

Ordered

That the Clerk of the Gen^l Affembly carry back the faid Addrefs to the Houfe of Burgeffes for their Signing

His Excellency Signified to the Council that M^r *Benjamin Harrifon* & others brought him a meffage laft night from the Houfe of Burgeffes defiring to know when the Houfe fhould attend him with an Addrefs to her Majefty w^{ch} they had prepared, And thereupon

Ordered

That the Clerk of the Gen^l Affembly go to the Houfe of Burgeffes and acquaint them that his Excell^{ty} is now ready to receive their Addrefs to her Majefty mentioned in the meffage fent yefterday by M^r *Benj^s Harrifon* & others

M^r

Mr *John Martin* having produced a draught of a Bond to be sign'd by him & his security for the transportation of the *Nanfiatico* Indians according to the Act agreed on by the Council and Burgeffes this Session, the said Bond was perused & approved of.

Ordered

That the Clerk of the Gen^l Assembly carry to the House of Burgeffes the draught of the Bond presented to his Excell^y & the Council by Mr *Jⁿ Martin* for transporting the *Nanfiatico* Indians, and acquaint them that his Excell^y & the Council approve thereof, and that if the House of Burgeffes are Satisfyed with the draught of the said Bond, Then his Excell^y commands the House to attend him with the Bill concerning the *Nanfiatico* & other Indians to receive his assent that so the sd Indians may be delivered to Mr *Martin*

The House of Burgeffes attending his Excell^y

Mr *Speaker* address'd himself to his Excell^y to this effect

May it please Yo^r Excell^y

Her Majestys Loyal and dutiful Subjects the Burgeffes having prepared an humble Address to her most sacred Majesty, do now attend Yo^r Excell^y and humbly pray yo^r Excell^ys favour to get it presented to her Matys hands

Whereupon his Excell^y was pleased to say he would take care of it.

Then the House withdrew

A message from the Burgeffes to his Excell^y and the Council by Mr *Cary* & others, who brought a Resolve of the House in answer to his Excell^ys & their Hon^{rs} message concerning the bounds of *North Carolina*

Mr *Cary* also brought the book of publick proportions and a Bill Entitled *an Act for raising a publick Levy* to w^{ch} the Burgeffes desire the Council's concurrence.

The Address to her Majesty just now delivered to his Excellency by the House of Burgeffes was read complaining of some Representa^{co}ns made in *England* to their prejudice by Coll^o *Robert Quarry*

Ordered

That the Clerk of the General Assembly carry the following message in writing from his Excellency to the House of Burgeffes

Mr Speaker & Gentlemen of the House of Burgeffes

I have read yo^r Address [See J. of H. of B., p. 123.]

His Excellency Sign'd his assent to Mr *Treasurer's* acco^{ts}, and Ordered that the Clerk of the Gen^l Assembly carry them to the House of Burgeffes, and also acquaint the House that his Excell^y commands their attendance with the Bill Ent *an Act concerning the Nanfiatico & other Indians*.

A Bill Ent *an Act for raising a public Levy* read the first time & Ordered a second reading.

The Council adjourned during pleasure

AND being again mett

The Resolves of the House of Burgeffes concerning the bounds of *North Carolina* were read as follows

May 2^d 1705

Resolved

That the best way to prevent any further encroachm^{ts} being made by the Governm^t of *North Carolina* on the Inhabitants of this Colony is to make provision as soon as possible for laying out & ascertaining the Boundaries between this Government and that of *North Carolina*, and that Comm^{rs} be appointed & impowered by his Excellency with the advice & consent of the Council to treat with such Comm^{rs} as shal be appointed by the Government of Carolina for effecting y^e same

On reading the Resolve of the House of Burgeffes concerning the bounds of *North Carolina*

Resolved

That it is the opinion of the Council that before any Treaty be had with the Governm^t of *North Carolina*, Mr *James Minge* and Mr *Rob^t Bolling jun^r* Surveyors be directed

directed as soon as conveniently may be privately to run y^e line between this Governm^t & North Carolina, proceeding according to y^e Course mentioned in the patent of the Lords Proprietors.

Resolved

That the said Surveyors be directed to take particular notice what lands or Plantations held by patents or Entrys under this Government may happen to be cutt off by the 1st Line, or how far the same may happen to run beyond the Inhabitants of this Colony.

Ordered

That the said Surveyors make Report of their proceedings to his Excell^{cy} and the Council that they may be the better enabled to appoint Comm^{rs}, or make Representation to her Majesty as they shall find expedient for the good of the Inhabitants of this Country.

Ordered

that a copy of the above Resolves, be sent to the Burgeffes for their concurrence

Then his Ex^{cy} signed the 1st Resolves thus

I do concur with the Council in the above Resolves

ffr: Nicholson

A message from the Burgeffes to the Council by M^r Benj^a Harrison & others who brought the Bill Ent *an Act concerning y^e Nanfiatico & other Indians* fairly Enrolled with the Engrossed copy and desired their Hon^{rs} to examine it

A message from the Burgeffes to the Council by M^r Miles Cary & others who brought an ordinance of Assembly for defence of the Country in times of danger to w^{ch} they desire their Hon^{rs} concurrence.

The inrolled Bill Ent *an Act concerning the Nanfiatico & other Indians* being examined by the Council

Ordered

That the Clerk of the General Assembly return the same to the House of Burgeffes and acquaint them that y^e Council have examined it

An ordinance of Assembly for defence of the Country in times of danger was read and agreed to by the Council, &

Ordered

That the Clerk of y^e Gen^l Assembly carry back y^e 1st Ordinance to the House of Burgeffes & acquaint them that the Council have agreed to the same

A bill Ent *an Act for raising a publick Levy* was read the 2^d time and

Ordered a third reading.

Then the Council adjourned during pleasure

AND being again mett

The House of Burgeffes came to attend his Excell^{cy} in the Council Chamber and M^r Speaker acquainted his Excell^{cy} that pursuant to his Excell^{cy}'s commands the house were come to attend his Excell^{cy} with a Bill agreed on by the hon^{ble} Council and themselves Entituled *an Act concerning the Nanfiatico & other Indians*, to receive his Excell^{cy}'s assent

Whereupon the said bill was Sign'd by his Excell^{cy} & afterwards by M^r Speaker

Then M^r Speaker presented to his Excell^{cy} the Congratulatory Address to her Maty agreed on by his Excy, the Council & Burgeffes & acqu^{ted} his Excell^{cy} that y^e 1st Address was signed by every member of the House.

And then the Burgeffes withdrew.

The Book of proportion of the publick Levy was agreed to by the Council

A Bill Ent *an Act for raising a publick Levy* read the third time

Resolved

That the Bill do pass

Ordered

That the Clk of the Gen^l Assembly carry the 1st Bill to y^e House of Burg^s and acquaint them that the Council have passd the same without any amendm^t

A petition of *Rob^t Bailly Joseph Smith & Hugh Arbuthnot* in behalf of themselves and other Masters of ships praying leave to sail for *England* with her Matys ship *Strom-bulo* read &

Referred to the House of Burgeffes.

Ordered

That the Clerk of the General Assembly acquaint the House of Burgeffes that his Excell^{cy} having desired their opinion what shal be accounted a sufficient Convoy for the ships in the Country, and some petitions having been since presented to his Excell^{cy} and the Council by some Masters of Ships and by them recommended to y^e Consideraçon of the House of Burgeffes, His Excell^{cy} & the Council do desire the House to signify their opinion therein, that they may give directions accordingly

A petition of *John Redwood* praying an order for his Sallary as Keeper of the publick Goal read &

Refer'd to y^e consideration of the House of Burgeffes

A message from the House of Burgeffes to the Council by Mr *Benj^s Harrison* & others who brought the inrolld bills past this Session, and acquainted the Council that the House had examined and compared them with the Engrossed Bills & that they agreed, and had sent the Engrossed bills to their Hon^{rs} that they might peruse and examine them

Then the Council examined the Enrolled bills and compared them with the Engrossed Bills agreed on this Session.

Ordered

That the Clerk of the Gen^l Assembly carry the Enrolled Bills to the house of Burgeffes & acquaint the house that the Council have compared & examined them with the Engrossed Bills & find them to agree.

His Excellency was pleased to sign his assent to the Book of proportions of the publick Levy

Ordered

That the Clk of the Gen^l Assembly carry back the 1^d Book to the House of Burgeffes

His Excellency acquainted the Council that he had received an Address from the House of Burgeffes last night By Mr *Nathaniel Harrison* & others, w^{ch} was read, & is as follows

To his Excellency Francis Nicholson Esqr her Matys Lieut^s and Governor Gen^l of Virginia May it please Yo^r Excellency

We her Majestys most dutiful [See J. of H. of B., p. 115.]

And thereupon

Ordered

That the Clerk of the General Assembly carry the following message from his Excell^{cy} to the house of Burgeffes

Mr Speaker & Gentlemen of the House of Burgeffes

I received yo^r Address [See J. of H. of B., p. 124.]

Ordered

That the Clerk of the Gen^l Assembly acquaint the house of Burgeffes that a petition of L^t Coll^o *James Taylor* for leave to go out on a discovery at the head of *Mattapony* River being referred to the house of Burgeffes by his Excell^{cy} and the Council; they desire the house to signify their proceedings thereon

A message to his Excell^{cy} from the House of Burgeffes by Mr *Thomas Barber* & others who brought the following Resolve viz

May 12th 1705

Resolved

That this House did not intend that their Address to her Majesty against Coll^o *Robert Quarry* should be made use of ag^t his Excell^{cy}

A meſſage to his Excell^{cy} by M^r *Miles Cary* & others who brought the following Reſolves in anſwer to his Excell^{cy}'s meſſage ſent this day *viz*

May the 3^d 1705

Upon conſideration of a Report of the Com^{tee} of propoſitions & Grievances made upon a petition of *James Taylor* to be admitted to go upon a diſcovery on the back parts of *King & Queen County*

The Houſe agreed to the Report of the Com^{tee} *viz*

That if he be willing to go upon his own charge his Excell^{cy} (if he pleaſes) will give him ſuch permiſſion.

May 8th 1705

Reſolved

That it is the opinion of this Houſe that two or more men of war of good force may be Sufficient to Convoy thoſe ſhips now in the Country for *England*.

May 12th 1705

Ordered

That leave be given to *Rob^t Baylie* & others & *Charles Heydon* & others to withdraw their petitions.

A meſſage from the Houſe of Burgeſſes to the Council by M^r *Miles Cary* & others who brought the following order to w^{ch} they deſire their Hon^{rs} concurrence.

Which order being read was agreed to by the Council, & is as follows

Ordered

That *John Redwood* be paid his Sallary of thirty pounds for being Goal Keeper of the publick priſon

Then his Excell^{cy} was pleaſed to ſign his aſſent to the ſ^d order

Reſolved

That the Council do concur in opinion with the Houſe of Burgeſſes that two or more men of war of good force may be Sufficient to Convoy thoſe ſhips now in the Country for *England*.

A meſſage to his Excell^{cy} and the Council by M^r *Rob^t Bolling* & others who brought the following Reſolve in anſwer to their meſſage concerning the Bounds of *North Carolina Viz*

May the 12th 1705

Reſolved

That it is the opinion of this Houſe that the meaſures propoſed by the Council in their Reſolves of this day for laying out the bounds between this Colony & *North Carolina* will prove very chargeable, and be of no Service to this Country, and therefore the houſe cannot agree to the ſame.

Ordered

That the ſaid Reſolve ly upon the Table.

Ordered

That the Clerk of the Gen^l Affembly go to the Houſe of Burgeſſes & acquaint them that his Excell^{cy} commands their immediate attendance on him in y^e Council Chamber.

The Houſe attending, M^r *Speaker* addreſſed himſelf to his Excell^{cy} to this effect

May it pleaſe yo^r Excell^{cy}

In obedience to yo^r Ex^{cy}'s commands the Houſe of Burgeſſes are come to attend yo^r Excell^{cy} with ſeveral bills agreed upon this Seſſion by Her Matys hon^{ble} Council and themſelves, in ord^r to receive y^r Ex^{cy}'s aſſent The titles of them are as follows.

An Act for ſettling & aſcertaining the current rates of forreign Coines in this Dominion.

Upon preſenting of which Act to his Excell^{cy}

His Excellency was pleaſed to ſay, that he was ſorry that the firſt bill preſented to him he could not paſs, becauſe it was contrary to one of her Matys Royal Inſtructions to him, (w^{ch} he read) whereby he is required to paſs no act or order for ſettling the Rates of Coines without her Majeſtys direction, But that he had adviſed with her Majeſtys hon^{ble} Council, & intended to ſend the copy of the Act for *England* for her Majeſtys directions therein

Then

Then the Speaker proceeded to read the Titles of the other Bills as follows

An Act permitting the exporting and disposing of Tobacco packd in old Cask

*An Act for Naturalization of Claude Philyppe de Richbourg Francis Ribot Peter
ffaure John Joanny James Champagne & others*

*An act empowering the Court of King & Queen County to purchase land to build a
Town*

An Act for raising a publick Levy

and

An ordinance of Assembly for defence of the Country in time of danger

All which Acts & ordinance were Sign'd by his Excell^y & the Speaker of the House
of Burgeffes

After w^{ch} his Excell^y spoke to this effect

That he thankd the House in her Ma^{ty}s name for their Congratulatory Address to
her Majesty. that he hop'd there would be no occasion for their meeting before next
August, nor did he intend to call them then, unless necessity required: but being in
expectation of Receiving orders from *England* by the *London* Fleet he thought fitt to
prorogue them only to the 2^d day of *August* & accordingly they were prorogued.

Examined with the Original. 78

Wil Robertson Cl Gen^l Assembly

AT A

GENERAL ASSEMBLY

begun and held at her Majestys Queen *Anne* her Royal Capitol
the 23^d day of *October* 1705 in the 4th year of the Reign of
our Sovereign Lady *Anne* by the grace of God of *England*,
Scotland, France & Ireland Queen Defender of the faith &c.

At a General Affembly begun and held at her Majeftys Queen *Anne* her Royal Capitol the 23^d day of *October* 1705 in the 4th year of the Reign of our Sovereign Lady *Anne* by the grace of God of *England, Scotland, France & Ireland* Queen Defender of the faith &c.

[*October* 23rd, 1705.]

Present

HIS Excellency *Edward Nott* Esq^r her Majeftys Lievtenant and Governor General of *Virginia*, *Edmund Jenings*, *John Lightfoot*, *Dudley Digges*, *Benj^a Harrifon*, *Robert Carter*, *John Cuftis* Esq^{rs}, *James Blair* Com^{rs}, *Philip Ludwell*, *W^m Baffett*, *Henry Duke* and *W^m Churchill* Esq^{rs}

William Robertfon being Commiffionated by his Excell^{cy} to be Clerk of the General Affembly of this Dominion took the Oaths appointed by Act of parliament to be taken inftead of the Allegiance & Supremacy, the abjuration Oath, fubfcribed the Teft and took the Oath of Clerk of the General Affembly.

Ordered

That the Clerk of the Gen^l Affembly go to the Houfe of Burgeffes & acquaint them that his Excell^{cy} commands their immediate attendance on him in y^e Council Chamber.

The Houfe being come His Excellency was pleafed to fay as followeth,

Gentlemen

I am extremely pleafed to fee fo great an appearance; I defire you to repair to yo^r Houfe and make choice of a Speaker at yo^r conveniency

Then the Council adjourned till to morrow morning at 11 a'clock

Wednesday *October* the 24th 1705

Present

HIS Excellencie, *Edmund Jenings*, *Jn^o Lightfoot*, *Dudley Diggs*, *Benj^a Harrifon*, *Robert Carter*, *Jn^o Cuftis* Esq^{rs}, *James Blair* Com^{rs}, *Philip Ludwell*, *W^m Baffett*, *Henry Duke* and *W^m Churchill* Esq^{rs}

A meffage from the Houfe of Burgeffes to his Excellency by M^r *Robert Beverley* and others, who acquainted his Excellency that the Houfe had made choice of a Speaker and defired to know when they fhould attend his Excell^{cy}

To which his Excell^{cy} made anfwer that he was glad they had made fo speedy a choice and would give them notice by a meffage when they fhould attend him.

Ordered

That the Clerk of the General Affembly go to the Houfe of Burgeffes and acquaint them that his Excellency commands their immediate attendance on him in the Council Chamber

The Houfe of Burgeffes being come to attend his Excellency prefented *Benjamin Harrifon* of the County of *Charles City* Gent as their Speaker, who addreffed himfelf to his Excellency to this effect, "That the Houfe of Burgeffes according to his Excell^{cy}s commands and their ancient priveledges had proceeded to the choice of a Speaker, and paffing

paffing by many other worthy members of their Houfe who were more capable of that Truft they had been pleafed to caft their Eyes on him to be their Speaker, and that he Submitted to his Excell^{cy}s confideraçon his unfittnefs for fo weighty a Station.

Whereupon his Excell^{cy} was pleafed to fay that he was glad the Houfe had made Choice of fo able a perfon for their Speaker and that he approved of their choice.

Then Mr *Speaker* in name of the Houfe of Burgeffes, and of all the Commons of this Colony, prayed that the antient priviledges may be continued to the Burgeffes of this Affembly, that in order to their better attending thofe weighty affairs that are to come before them they may be free in their perfons, Eftates & Servants from arrefts That in all their confultaçons they may enjoy freedom of Debate and as oft as the neceffity of affairs requires, free accefs to his Excell^{cy}s perfon, And then in behalf of himfelf prayed that none of his miftakes may tend to the prejudice of the Houfe of Burgeffes or any member thereof.

Unto which his Excell^{cy} was pleafed to anfwer That all the ufual priviledges of the Houfe of Burgeffes Were granted and fhould be continued to them.

And then his Excell^{cy} made the following Speech

Gentlemen

Her Majefty having been [See J. of H. of B., 1702/3-1712, pp. 130-131.]

Mr *Speaker* applying himfelf to his Excell^{cy} for a copy of his Speech, his Ex^{cy} was pleafed to give him a copy thereof.

And then the Houfe of Burgeffes withdrew &

The Council adjourned till to morrow morning 10 a'clock.

Thursday October 25th 1705

Present

EDMUND JENINGS, Jn^o Lightfoot, Dudley Diggs, Benj^a Harrifon, Robert Carter, Jn^o Cuftis Efqr^s, Mr Com^{ry} Blair, W^m Baffett, Henry Duke and W^m Churchill Efqr^s

The Grievances of *Prince Georges* County read, and

Referred to y^e confideraçon of the houfe of Burgeffes

The Council adjourned till to morrow morning 10 a'clock

Friday October 26th 1705

present

EDM^D JENINGS, Dudley Diggs, Benj^a Harrifon, Robert Carter, John Cuftis Efqr^s, James Blair Com^{ry}, Philip Ludwell, W^m Baffet, Henry Duke & W^m Churchill Efqr^s

The Grievance of *King & Queen* County Read & Referred to y^e confideraçon of the Houfe of Burgeffes

A Grievance from *Nanfemond* County, Read & Referred to y^e confideraçon of the Houfe of Burgeffes

And then y^e Council adjourned till tomorrow morning 10 a'clock.

Saturday October 27th 1705

present

EDMUND JENINGS, Jn^o Lightfoot, Dudley Digges, B. Harrifon, Robert Carter, Jn^o Cuftis Efqr^s, James Blair Com^{ry}, Philip Ludwell, W^m Baffet, Henry Duke & W^m Churchill Efqr^s

The Council mett and adjourned till *Munday* morning 10 a'clock

Munday

Munday October 29th 1705

present

HIS Excellencie, *Jn^o Lightfoot, Robert Carter, Jn^o Custis Esq^{rs}, James Blair Com^{rs}, Philip Ludwell & W^m Churchill Esq^{rs}*

A meffage to his Excell^{cy} from the house of Burgeffes by M^r *Robert Beverley* & others, That the House pray his Excellency to iffue out a new Writt for the election of Burgeffes to ferve in this Affembly for *King William* County in y^e room of M^r *John West* and M^r *Thomas West* who are unduly elected Burgeffes for the f^d County.

Edmund Jenings Esq^r present

The Grievances of *Princefs Anne* County read and Referred to y^e confideration of the House of Burgeffes

The petiçon of *John Adams* Interpreter to the *Pamunky & Chicahominy* Indians praying his ufual Sallary may be allowed him, Read & Referred to y^e confideraçon of the House of Burgeffes.

A Grievance from *King William* County read, & Referred for further confideraçon till to morrow morning

And then the Council adjourned till to morrow morning 10 aclock.

Tuesday October 30th 1705

present

HIS Excellency, *Edm^d Jenings, Dudley Digges, Benj^a Harrison, Robert Carter, Jn^o Custis Esq^{rs}, James Blair Com^{rs}, Philip Ludwell, Henry Duke & W^m Churchill Esq^{rs}*

His Excellency having with great concern represented to the Council how neceffary it is that an examinaçon be made into the occaſion of that ſad & deplorable accident w^{ch} happened laſt night of the burning of *William & Mary* College; The Council think fitt to appoint fix members of the Council to take Examinaçons concerning that unhappy diſaſter. and

Ordered that a meffage be ſent to the houſe of Burgeffes to deſire that ſuch a number of Burgeffes as the houſe ſhal think fitt may aſſiſt in examining into that matter to meet to morrow at 11 aclock in the Conference.

Ordered

That *Edmund Jenings, Dudley Digges, Benjamin Harrison, Robert Carter & Jn^o Custis Esq^{rs}* & M^r Com^{rs} *Blair* be appointed to take y^e f^d Examinations

The Grievance of *King William* County referred yeſterday for further confideration is further Referred till tomorrow morning.

And then y^e Council adjourned till to morrow morning 10 aclock.

Wednesday October 31st 1705

Present

EDMUND JENINGS, *Dudley Diggs, Benj^a Harrison, Robert Carter, Jn^o Custis Esq^{rs}, James Blair Com^{rs}, Philip Ludwell, Henry Duke & W^m Churchill Esq^{rs}*

A meffage from the Burgeffes to y^e Council by M^r *Peter Beverley* & others who acquainted the Council that the Houſe agreed to the propoſal made for taking examinations concerning the burning of *William & Mary* College & had appointed twelve of their Members to meet the Council at y^e time & place mentioned in their meffage.

Philip Ludwell Esq^r abſent

The Grievance of *King William* County referred yeſterday for further confideraçon, was this day read, and after debate

Resolved

Resolved

That the paper presented as a Grievance from *King William County* be sent to y^e House of Burgeffes with a Remark thereon.

Ordered

That the Clerk of the General Affembly carry the following meffage to the house of Burgeffes, with the paper presented as a Grievance from *King William County viz*

The Council having read and perused a paper presented to them as a Grievance from *King William County*, find it to contain matter of very dangerous consequence but as it has a particular relation to the House of Burgeffes they have thought fitt to send it to the House as more proper for their censure.

And then the Council adjourned till tomorrow morning 10 aclock.

Thursday November y^e 1st 1705

Present

EDMUND JENINGS, *Dudley Diggs, Benj^a Harrison, Robert Carter, Jn^o Custis Esq^r, James Blair Com^{ry}, Philip Ludwell, Henry Duke & W^m Churchill Esq^r*
The Council mett and adjourned till tomorrow morning 10 aclock

Friday November 2^d 1705

Present

EDM^d JENINGS, *Dudley Digges, Benj^a Harrison, Rob^t Carter, Jno Custis Esq^r, James Blair Com^{ry}, Philip Ludwell, Henry Duke & W^m Churchill Esq^r*
The several petitions of *Andrew Young, W^m Brown, W^m Seyers, and Joseph Dunbar*, praying to be admitted to keep ferry over *York River* at *Tindals* point Read & Referred to y^e confideration of the House of Burgeffes

The Petiçon of *Miles Cary, William Buckner & W^m Robertson* Attorneys of Coll^o *Francis Nicholson* praying allowance for his charges in procuring the Queens picture &c for this Country Read & referred to the confideration of the House of Burgeffes

And then the Council adjourned till tomorrow morning 10 aclock

Saturday November 3^d 1705

present

EDMUND JENINGS, *Dudley Digges, Benj^a Harrison, Robert Carter, Jn^o Custis Esq^r, James Blair Com^{ry}, Philip Ludwell, Henry Duke & W^m Churchill Esq^r*

The petition of M^r Secretary *Jenings* praying allowance for copying the Rules of the General Court for the use of the County Courts, Read & referred to y^e confideraçon of the house of Burgeffes

The petition of M^r Secretary *Jenings* praying allowance for iffuing twenty Eight Writts for Election of Burgeffes, Read and Referred to the confideraçon of the house of Burgeffes.

The petiçon of Major *Arthur Allen* praying allowance for Surveying the *Nattoway* Indians Land pursuant to the Act of Affembly Read & Referred to y^e confideraçon of the House of Burgeffes.

And then the Council adjourned till Munday morning 10 aclock.

Munday November y^e 5th 1705

present

DUDLEY DIGGS, *Benj^a Harrison, John Custis Esq^r, James Blair Com^{ry}, Philip Ludwell & W^m Churchill Esq^r*

The Council adjourned till to morrow morning 10 aclock

Tuesday

Tuesday November 6th 1705

present

EDM^D JENINGS, Dudley Diggs, Benj^a Harrison, John Custis, W^m Bassett, Henry Duke & [W^m Churchill] Esq^{rs}
The Council mett and adjourned till to morrow morning 10 a'clock

Wednesday November y^e 7th 1705

Present

EDMUND JENINGS, Dudley Diggs, Benj^a Harrison, John Custis Esq^{rs}, James Blair Com^{rs}, Philip Ludwell, W^m Bassett, Henry Duke & W^m Churchill Esq^{rs}
The Council mett and adjourned till to morrow morning 10 a'clock

Thursday November y^e 8th 1705

present

EDMUND JENINGS, Dudley Digges, Benj^a Harrison, John Custis Esq^{rs}, James Blair Com^{rs}, Philip Ludwell, W^m Bassett, Henry Duke & W^m Churchill Esq^{rs}
A message from the House of Burgeses to y^e Council by M^r Miles Cary & others who brought a bill Ent an Act prescribing the method of appointing sherifs, and limiting the time of their continuance in office, and directing their duty therein, and a Bill Ent an Act concerning Jurys, past by the house to w^{ch} they desire the concurrence of the Council.

A bill Entituled an Act concerning Jurys, read the first time, & Ordered a second reading.

A bill Ent an Act prescribing the method of appointing sherifs & limiting the time of their continuance in office & directing their duty therein. Read y^e first time, and Ordered a second reading.

And then the Council adjourned till to morrow morning 10 a'clock

Friday November y^e 9th 1705

present

DUDLEY DIGGES, Benj^a Harrison, Rob^t Carter, Jn^o Custis Esq^{rs}, Ja: Blair Com^{rs}, Philip Ludwell, W^m Bassett, Henry Duke & W^m Churchill Esq^{rs}

A bill Entituled an Act prescribing the method of appointing Sherifs, and limiting the time of their Continuance in Office and directing their duty therein, read the second time, and amended,

Ordered

That the bill with the amendments be read a 3^d time.

Edmund Jenings Esq^r present

A bill Entituled an Act concerning Jurys read the 2^d time and amended, and

Ordered that the bill with the amendments be read a third time.

And then y^e Council adjourned till to morrow morning 10 a'clock

Saturday November y^e 10th 1705

present

EDMUND JENINGS, Dudley Diggs, Benj^a Harrison, Jn^o Custis Esq^{rs}, James Blair Com^{rs}, Philip Ludwell, William Bassett, Henry Duke & W^m Churchill Esq^{rs}

A motion being made that the two Bills sent up from the Burgeses be now read a third time.

Resolved

That the f^d two Bills have a third reading on *Munday* next

And then the Council adjourned till *Munday* morning 10 a'clock.

Munday

Munday November y^e 12th 1705

present

EDMUND JENINGS, Robert Carter, John Custis Esq^{rs}, James Blair Com^{rs}, Philip Ludwell, W^m Churchill Esq^{rs}

Ordered that the third reading of the two Bills sent up from the Burgeffes be referred till to morrow morning in expecta^{on} of a fuller Council.

And then the Council adjourned till to morrow morning 9 a'clock

Tuesday November y^e 13th 1705

present

EDMUND JENINGS, Dudley Diggs, Rob^t Carter, Jn^o Custis Esq^{rs}, Ja: Blair Com^{rs}, Philip Ludwell, W^m Baffet, Henry Duke & W^m Churchill Esq^{rs}

A peticon of the Inhabitants of the Lower part of *Wilmington* parish praying to be incorporated into *James City* parish Read and Referred to the confideration of the House of Burgeffes.

Ordered

That the two Bills sent up from the Burgeffes be read a 3^d time to morrow morning.

And then the Council adjourned till to morrow morning 9 a'clock.

Wednesday November 14th 1705

present

EDMUND JENINGS, Dudley Diggs, Benj^a Harrifon, Robert Carter, Jn^o Custis Esq^{rs}, M^r Com^{rs} Blair, Philip Ludwell, W^m Baffet, Henry Duke & W^m Churchill Esq^{rs}

A bill Entituled *an Act prescribing the method of appointing Sherifs, and for limiting the time of their continuance in office, & directing their duty therein*, was read a third time, and an Amendment being propofed thereto, and thrice read, was agreed to

Resolved

That the Bill with the amendm^{ts} do pafs

A bill Ent *an Act concerning Jurys* Read the third time & a further amendm^t being propofed thereto & thrice read, was agreed to

Resolved

That the Bill with the amendm^{ts} do pafs

Ordered

That the Clk of the General Affembly carry the aforef^d two Bills to the House of Burgeffes, and acquaint them that the Council have agreed thereto with feveral amendm^{ts} to w^{ch} they defire the concurrence of the House.

And then y^e Council adjourned till to morrow morning 9 a'clock.

Thursday November y^e 15th 1705

present

EDMUND JENINGS, Dudley Digges, Benj^a Harrifon, Robert Carter, Jn^o Custis Esq^{rs}, James Blair Com^{rs}, Philip Ludwell, W^m Baffett, Henry Duke & W^m Churchill Esq^{rs}

A meffage from the House of Burgeffes to the Council by M^r William Randolph and others, who brought two bills viz a bill Ent *an Act for the effectual Suppression of vice, and restraint and punishment of blasphemous, wicked and dissolute persons.* and a Bill Entituled *an Act for Limita^{on} of actions and avoiding of Suits past by the House*, to w^{ch} they defire the Councils concurrence.

A Bill Entituled an Act for the effectual Suppression of vice, and restraint and punishment of blasphemous wicked & diffolute persons, Read y^e first time & ordered a Second reading.

A bill Entituled an Act for Limitaçon of actions and avoiding of Suites Read y^e first time, and Ordered a 2^d reading

And then y^e Council adjourned. till to morrow morning 9 aclock

Friday November 16th 1705

present

ED: JENINGS, Dudley Diggs, Benj^a Harrifon, Rob^t Carter, Jn^o Custis Esq^{rs},
M^r Com^{ry} Blair, Philip Ludwell, W^m Basset, Henry Duke & W^m Churchill Esq^{rs}
A bill Entituled an Act for limitaçon of actions & avoiding of Suits, Read
y^e 2^d time & Committed for amendments.

And then the Council adjourned till to morrow morning 9 aclock.

Saturday November 17th 1705

Present

EDM^d JENINGS, Dudley Diggs, Benj^a Harrifon, Rob^t Carter, Jn^o Custis Esq^{rs},
M^r Com^{ry} Blair, Philip Ludwell, W^m Basset & Henry Duke Esq^{rs}

A meffage to the Council from the House of Burgeffes by M^r Peter Beverley
& others who brought the following Bills past by the House viz a Bill Ent an
Act concerning the Church, Clergy and other parochial affairs. A bill Ent an Act directing
the building and maintaining of prisons, pillorys, whipping posts Stocks & Ducking
Stools in every County, and for Settling the Rules of prisons, A bill Ent an Act against
importing Tobacco from Carolina & other parts without the Capes of Virginia. A bill
Entituled An Act for improving the Staple of tobacco, and for regulating the Size of tobacco
hogheads. A bill Entituled an Act declaring who shal not bear office in this Country and
a bill Entituled an act declaring how long Judgments Bonds, obligations & acco^{ts} shal be
in force, for y^e assignment of Bonds and obligations, directing what proof shal be sufficient in
such Cafes, and ascertaining the dammages upon protested bills of Exchange, To which
they desire the Councils concurrence.

A bill Entituled an Act for Limitation of actions & avoiding of Suits was amended
and the amendments twice read, and

Ordered that the Bill with the amendments be read a 3^d time on Munday next.

A bill Entituled an Act concerning the Church Clergy & other parochial affairs Read
the first time, and Ordered a 2^d reading.

A bill Entituled an act directing the building & maintaining of prisons pillorys,
whipping posts Stocks & Ducking stools in every County, & for Settling the Rules of prisons
read y^e first time, and Ordered a 2^d reading.

A bill Entituled an Act against importing Tobacco from Carolina & other parts without
the Capes of Virginia, Read y^e first time & ordered a second reading.

A bill Entituled an Act for improving the Staple of Tobacco & for regulating the Size
of Tobacco hogheads, Read y^e first time & ordered a Second reading

A bill Entituled an Act declaring who shal not bear office in this Country Read y^e
first time & ordered a second reading.

A bill Entituled an Act declaring how long Judgements Bonds, obligations and
accompts shal be in force, for the assignment of Bonds & obligations, directing what proof
shal be Sufficient in such Cafes & ascertaining the dammages upon protested bills of Exch^e
Read the first time & Ordered a Second reading.

And then the Council adjourned till Munday morning 9 aclock.

Munday

Munday November the 19th 1705

Present

EDMUND JENINGS, Dudley Diggs, Benj^a Harrison Esq^{rs}, Robert Carter, Jn^r Custis Esq^{rs}, M^r Com^{ry} Blair & Philip Ludwell Esq^r

A bill Entituled *an act for Limitaçon of action and avoiding of Suits* read the third time with the amendments

Resolved

That the Bill with the amendments do pass.

A bill Entituled *an Act against importing Tobacco from Carolina & other parts without the Capes of Virginia* Read the second time and Ordered a 3^d reading

A bill Entituled *an Act declaring who shal not bear office in this Country*, read the second time, and Ordered a third reading

A bill Ent *an Act directing the building and maintaining of prisons, pillorys whipping posts, Stocks and Ducking Stools in every County and for Settling the Rules of prisons* Read a second time and Ordered a 3^d reading.

And then the Council adjourned till to morrow morning 9 a'clock.

Tuesday November 20th 1705

present

EDM^d JENINGS, Dudley Digges, Benj^a Harrison, Rob^t Carter Esq^{rs}, James Blair Com^{ry}, Philip Ludwell, W^m Basset & Henry Duke Esq^{rs}

A bill Entituled *an Act declaring how long Judgements Bonds obligations and acco^{ts} shal be in force for the assignment of bonds & obligations, directing what proof shal be Sufficient in Such Cases & ascertaining the dammage upon protested bills of Exchange.* Read y^e 2^d time & Committed for amendments.

A bill Entituled *an Act for improving the Staple of Tobacco, & for regulating the Size of Tobacco hogsheds*, Read y^e 2^d time & Committed for amendm^{ts}

A bill Entituled *an Act directing the building and maintaining of prisons pillorys, whipping posts, Stocks & Ducking stools in every County, & for Settling y^e Rules of prisons.* Read the 3^d time and past without amendment

A bill Entituled *an Act declaring who shal not bear office in this Country* being amended & the amendments twice read, was read y^e 3^d time with the Amendm^{ts}

Resolved

That the bill with the Amendments do pass

A bill Entituled *an Act against importing Tobacco from Carolina & other parts without the Capes of Virginia* Read the 3^d time and past without amendm^{ts}

Ordered

That the Clerk of the Gen^l Assembly carry the three last mentioned bills to y^e House of Burgeses.

A bill Ent *an Act concerning the Church Clergy and other Parochial affairs*, Read the second time and Committed for amendments to Edm^d Jenings Dudley Diggs & Robert Carter Esq^{rs} and M^r Commissary Blair.

And then the Council adjourned till to morrow morning 9 a'clock.

Wednesday November y^e 21st 1705

Present

EDMUND JENINGS, Dudley Digges, Benj^a Harrison, Robert Carter Esq^{rs}, James Blair Com^{ry}, Philip Ludwell, W^m Basset & Henry Duke Esq^{rs}

A bill Ent *an Act declaring how long Judgements Bonds Obligations & Accounts that [shall] be in force, for the assignment of Bonds & obligations, directing what proof shal be Sufficient in such Cases & ascertaining the dammages upon protested Bills of Exch^e*, being amended was read y^e 3^d time with y^e Amendments

Resolved

Resolved that the Bill with the amendments do pass.

Ordered that the Clk of the General Assembly carry the 1^d bill to the house of Burgeffes and desire their concurrence to the Councils amendments made thereto.

The Amendments made to the Bill Entituled an Act for the better improving of the Staple of tobacco and regulating the Size of Tobacco hogfheads being Reported and some alterations made therein,

Ordered

That the bill with the amendments be read a third time to morrow morning.

A message from the House of Burgeffes to the Council by M^r Robert Beverley and others who brought the following bills viz

A bill Entituled an Act for ascertaining the Gage of barrells for pork, beef, tarr & pitch. A bill Entituled an Act for attorneys prosecuting Suits on behalf of persons out of the Country to give Security for the payment of such costs & dammages as shal be awarded against them. A bill Entituled an Act for the encouragement of the Land Frontiers. A bill Entituled an Act for regulating the Elections of Burgeffes, for Settling their priviledges and for ascertaining their allowances, and a Bill Ent an Act to prevent the Clandestine transportation or carrying of persons in debt, Servants & Slaves out of this Colony—To w^{ch} they desire the Councils concurrence.

And then the Council adjourned till to morrow morning 9 aclock.

Thursday November 22^d 1705

present

EDM^d JENINGS, Dudley Diggs, Robert Carter Esq^{rs}, James Blair Com^{rs}, Philip Ludwell, W^m Baffet & Henry Duke Esq^{rs}

A bill Entituled an Act for regulating the Elections of Burgeffes, for Settling their priviledges and ascertaining their allowances Read the first time & ordered a Second reading.

A bill Entituled an Act to prevent the clandestine transportaçon of persons in debt, Servants and Slaves out of this Colony, read y^e first time and Ordered a 2^d reading.

A bill Entituled an Act for ascertaining the Gage of barrells for pork, beef, tarr & pitch, Read y^e first time, and Ordered a 2^d reading.

A bill Entituled an Act for attorneys prosecuting Suits on behalf of persons out of the Country to give security for the payment of such Costs & dammages as shal be awarded ag^t them.

A bill Entituled an Act for the encouragement of the land Frontiers Read the first time & ordered a Second reading.

A bill Entituled an Act for improving the Staple of Tobacco and for regulating the Size and Tare of Tobacco hogfheads read the 3^d time with the amendments

Resolved

That the bill with the amendments do pass.

Ordered

That the Clerk of the General Assembly carry the said Bill to the House of Burgeffes and desire their Concurrence to y^e Councils amendments made thereto.

And then the Council adjourned till to morrow morning 9 aclock.

Friday November the 23^d 1705.

present

HIS Excellency, Dudley Diggs, Robert Carter Esq^{rs}, M^r Com^{rs} Blair, William Baffett, and Henry Duke Esq^{rs}

A message to the Council from the House of Burgeffes by M^r William Randolph and others who brought a Refolve of the House upon the petiçon of Claude Philippe de Richebourgh in behalf of himself & the rest of the French Refugees settled at Manicantown & parts adjacent, praying that y^e same quantity of land as is allowed

allowed to every person imported into this Colony may be granted unto Every one of the f^d Refugees to w^{ch} Refolve they desire the Councils concurrence.

And the said Refolve was read and agreed to & is as followeth

Resolved

That it is fitt the petition be granted.

Philip Ludwell Esq^r present

A Message to his Excell^{cy} by M^r Miles Cary & others who acquainted his Excell^{cy} that the House of Burgeffes had commanded them to wait on him, and to pray that his Excell^{cy} will please to give directions that the Acco^{ts} of the Revenue for the Support of the Government may be laid before the House.

Ordered

That the Clerk of the Gen^l Affembly carry the following message from his Excell^{cy} to the House of Burgeffes in anſwer to their message about y^e acco^{ts}

Gentlemen

In anſwer to yo^r message concerning the accompts of her Majestys Revenue upon enquiry I find the acco^{ts} are in M^r Auditor Byrds hands who is now at his house in the Country, but I ſhal as ſoon as poſſible ſend for the f^d Acco^{ts} and lay them before you

Edw: Nott

A message from the House of Burgeffes to the Council by M^r Miles Cary & others acquainting their Hon^{rs} that the House desire they will be pleased to appoint ſuch of their members as they ſhal think fitt to joine with a Committee of the House of Burgeffes to conſider what further directions are neceſſary to be given concerning the finiſhing of the Capitol or the other publick buildings.

A message from the House of Burgeffes to his Excell^{cy} by M^r peter Beverley and others, that purſuant to an order of the House of Burgeffes they were come to wait on his Excell^{cy} to acquaint him that the House had prepared an Addreſs to his Excellency and desire to know when & where his Excell^{cy} will be attended by the whole House to preſent y^e ſame.

To which his Excellency was pleased to ſay he would be in the Council Chamber to morrow at 11 a clock.

His Excell^{cy} abſent

Resolved

That *Philip Ludwell* and *Henry Duke Esq^{rs}* be appointed to joine with the Com^{tee} of the House of Burgeffes to Conſider what further directions are neceſſary to be given concerning the finiſhing of the Capitol, or the other publick buildings

Ordered

That a message be ſent to the House of Burgeffes, that the Council have appointed two of their members to joine with the Com^{tee} of the Burg^s to conſider what further directions are neceſſary to be given concerning the finiſhing of the Capitol who will be ready to meet to morrow at 12 a clock in the Conference Room.

A Bill Entituled *an Act for Attorneys proſecuting Suits on behalf of persons out of the County to give Security for the payment of ſuch coſts & dammages as ſhal be awarded againſt them* read y^e 2^d time, and Ordered a third reading

A Bill Entituled *an Act for encouragement of the Land Frontiers*, Read y^e Second time & Committed for amendments.

A bill Entituled *an Act for regulating the Elections of Burgeffes, for ſettling their priviledges & for aſcertaining their allowances*, read the 2^d time & Committed for Amendments

And then the Council adjourned till to morrow morning 9 a clock.

Saturday

Saturday November the 24th 1705

present

HIS Excellency, *Edm^d Jenings, Robert Carter Esq^r, James Blair Com^r, Philip Ludwell, W^m Baffett & Henry Duke Esq^r*

The House of Burgeffes according to his Excell^{cy}s appointment this day attended his Excellency in the Council Chamber where M^r *Speaker* read & presented to his Excellency the following Addrefs

To His Excellency Edward Nott Esq^r her Majestys Lieutenant and Governor Gen^l of Virginia

The humble Addrefs of the House of Burgeffes

May it please Yo^r Excell^{cy}

We her Majestys [See J. of H. of B., p. 168.]

To w^{ch} his Excellency was pleased to answer to this effect

Gentlemen

You shal always find me ready to oblige the House of Burgeffes in any thing that lyes in my power, but this being a matter of great moment, I must take [some] little time to confider of it with the Council.

Ordered

That the Clerk of the General Asssembly carry the following message in writing from his Excellency to the House of Burgeffes in answer to their Addrefs

Gentlemen

Being a little Surprized [See J. of H. of B., pp. 170-1.]

Then the Council adjourned till *Munday* morning 10 a'clock

Munday November the 26th 1705

present

EDM^d JENINGS, *Dudley Digges, Robert Carter Esq^r, James Blair Com^r, Philip Ludwell, Henry Duke Esq^r*

A message to the Council from the House of Burgeffes by M^r *W^m Randolph* & others who brought the following Bills past by the House viz A bill Ent an A^ct for establishing the General Court, and for regulating & settling the proceedings therein A bill Entituled an A^ct concerning publick Claims. A bill Ent an A^ct concerning the Collection of the publick & County Levys & for the better payment of y^e same to the respective Creditors therein concerned. A bill Entituled an A^ct against Stealing Hogs. A bill Entituled an A^ct for prevention of trespasses by unruly horses Cattle, hogs, Sheep and Goats [and] by taking away Boats & Canoes A bill Ent an A^ct giving a Reward for killing of wolves. & a Bill Entituled an A^ct to prevent killing Deer at unseasonable times. To which they desire the concurrence of the Council.

And then the Council adjourned till to morrow morning 9 a'clock.

Tuesday November 27th 1705

present

EDM^d JENINGS, *Dudley Diggs, Rob^t Carter Esq^r, Ja: Blair Com^r, Philip Ludwell, W^m Baffet & Henry Duke Esq^r*

A bill Ent an A^ct for Attorneys prosecuting Suits on behalf of persons out of the Country to give security for the payment of all such Costs and dammages as shal be awarded against them, Read the third time and passed without amendment

And then the Council adjourned till to morrow morning 9 a'clock.

Wednesday

Wednesday November y^e 28th 1705

Present

EDMUND JENINGS, *Dudley Digges, Robert Carter Esq^r, M^r Com^{ry} Blair, Philip Ludwell, W^m Baffet & Henry Duke Esq^r*

A meffage from the Houfe of Burgeffes to the Council by M^r *Robert Beverley* and others who brought M^r *Treasurers* acco^{ts} of the Impositions on Liquors Serv^{ts} & Slaves past by the Houfe, together with several Resolves for certain allowances to the officers attending this General Affembly & others to w^{ch} they desire the Councils concurrence.

Resolved

That M^r *Treasurers* Acco^{ts} be passed by the Council.

Then the Resolves of the Houfe of Burgeffes for payment of the Officers attending this Gen^l Affembly were read & agreed to and are as followes

Resolved

That there be paid [See J. of H. of B., p. 173, lines 1-36.]

And then y^e Council adjourned till to morrow morning 9 a'clock.

Thursday November the 29th 1705

present

EDMP JENINGS, *Dudley Diggs, Robert Carter Esq^r, James Blair Com^{ry}, Philip Ludwell, W^m Baffett & Henry Duke Esq^r*

A Message from the Houfe of Burgeffes to the Council by M^r *Robert Beverley* and others who brought two Resolves of the Houfe for the defence of the Country together with an order for payment of W^m *Byrd Esq^r* his Expences as Agent for this Country in the affair of *New York* to w^{ch} they desire the Councils concurrence.

The Resolve of the Houfe of Burgeffes for the defence of the Country was Read & Agreed to as follows

Resolved

That his Excellency the Governor or the Governor or Commander in cheif of this Dominion for the time being shal have full power & authority till the next Session of Affembly by and with the advice & consent of her Majestys hon^{ble} Council of State, on any Infurrection, Incurfion, or Invasion to levy fuitable & Competent fforges for the defence of this Dominion, and to difband y^e fame again, as the occasion (for which they shal be raised) ceases.

Resolved

That whatever Forces shal be Levyed by vertue of and pursuant to the foregoing Resolve shal be paid by the publick at the next Session of the Gen^l Affembly.

Then the Order for paying W^m *Byrd Esq^r* his Expences as Agent for this Country was read & agreed to as followes

Ordered

That there be paid unto *William Byrd Esq^r* out of the publick moneys in M^r *Treasurers* hands the Sum of Six pounds seventeen shillings & Six pence, for so much by him expended as Agent for this Country in the affair of *New York*.

Philip Ludwell Esq^r from the Com^{tee} appointed to Consider what further directions are necessary to be given concerning the finishing the Capitol & other publick Buildings Reported their proceedings in the matter to them referred w^{ch} he read in his place and then delivered in at the Table.

A message from the House of Burgesses to the Council by M^r Miles Cary & others who brought sev^l Resolves concerning the Capitol to w^{ch} they desire the Councils concurrence, w^{ch} resolves are as followeth viz.

Resolved

That M^r Henry Cary the Overseer of the building of the Capitol & y^e several workmen employed about y^e same be on *Wednesday* next discharged

Resolved

That the two Houses and all goods & Materials now in the possession of M^r Henry Cary belonging to the Country remain as they now are undisposed of, except the three Negro Slaves, w^{ch} the said Cary is to be possessed of according to a Resolve of the Assembly at the last Session

Resolved

That the four Master Keys to y^e Locks of the Capitol in y^e hands of M^r Henry Cary, M^r W^m Robinson & M^r Charles Chiswell be called in & destroyed

And the said Resolves were read and agreed to with this amendment, viz That at y^e end of the 2^d line of the first Resolve after the word [discharged] be added [untill the next Meeting of the Assembly]*

Ordered

That the Clerk of the Gen^l Assembly Carry to the House of Burgesses the Resolves concerning the Capitol, and acquaint them that the Council have agreed thereto with an amendment, and that they think it further necessary that some person be appointed to take care of the Countrys houses and materials left therein untill further directions be given at the next meeting of the Assembly.

And then the Council adjourned till to morrow morning 9 a'clock

Friday November the 30th 1705

present

EDM^D JENINGS, Dudley Diggs Esq^r, M^r Com^{ry} Blair, Philip Ludwell, William Basset & Henry Duke Esq^{rs}

The Council mett and according to Leave from his Excell^{cy} adjourned till the 24th of April 1706.

Examined 

Wil Robertson Cl Con

* The brackets used in this paragraph are in the original.

At a General Affembly begun and held at her Majesty's Royal Capitol the 23^d day of *October* 1705 and continued by adjournment to the 24th day of *April* 1706 in the 5th year of the Reign of our Sovereign Lady *Anne* by the Grace of God of *England, Scotland France* and *Ireland* Queen Defender of the faith &c

[*April* the 24th, 1706.]

Present

EDMUND JENINGS, *John Lightfoot, Dudley Digges, Benj^a Harrifon, Robert Carter, John Cufdis Efqr^a, Mr Com^{rs} Blair, Philip Ludwell, W^m Baffett, Henry Duke & William Churchill Efqr^a*

The Council mett and adjourned till to morrow morning 10 a'clock

Thursday April the 25th 1706

Present

THE fame as yesterday

The buifness of the General Court having taken up the greateft part of the day. The Council adjourned till to morrow morning 10 a'clock

Friday April the 26th 1706

Present

HIS Excellency *Edward Nott Efqr &c* and The fame Council as yesterday
Ordered

That the Clerk of the General Affembly go to the Houfe of Burgeffes and acquaint them that his Excellency commands their immediate attendance on him in the Council chamber.

The Houfe of Burgeffes being come to attend his Excellency,

His Excellency was pleafed to make the following Speech,

Gentlemen

The caufes which obftructed [See J. of H. of B., 1702/3-1712, p. 177.]

And then Mr *Speaker* having applyed himfelf to his Excellency for a copy of his Speech and obtained y^e Same, The houfe of Burgeffes withdrew

Ordered

That the Clerk of the General Affembly carry to the houfe of Burgeffes her Maj^{ties} Letter recommending the building a houfe for the Governor w^{ch} was referred to in his Excellencys Speech.

The petition of *Peter Pafquier* praying for Naturalizaçon read and referred to the confideraçon of the Houfe of Burgeffes.

And then the Council adjourned till to morrow morning 10 a'clock.

Saturday

Saturday 27th April 1706

present

EDMUND JENINGS, *Benj^a Harrison, John Custis Esq^{rs}, Ja: Blair Com^{rs}, Philip Ludwell, W^m Bassett, Henry Duke & W^m Churchill Esq^{rs}*

A bill Entituled *an Act concerning publick Claimes* read the first time and Ordered a Second reading

A bill Entituled *an Act giving a Reward for killing of Wolves* read the first time and Ordered a second reading.

Robert Carter Esq^r present

A bill Entituled *an Act to prevent killing Deer at unseasonable times* read the first time and ordered a Second reading.

And then the Council adjourn'd till *Munday* morning 10 a'clock

Munday April the 29th 1706

present

EDMUND JENINGS, *Jn^o Lightfoot, Benj^a Harrison, Rob^t Carter, Jn^o Custis Esq^{rs}, Ja Blair Com^{rs}, Ph: Ludwell and W^m Churchill Esq^{rs}*

The General Court having fate late. The Council adjourned till to morrow morning 10 a'clock.

Tuesday April y^e 30th 1706

Present

HIS Excellency, *Edm^d Jennings, Jn^o Lightfoot, Dudley Diggs, Benj^a Harrison, Robert Carter, Jn^o Custis Esq^{rs}, M^r Com^{rs} Blair, Philip Ludwell & W^m Churchill Esq^{rs}*

A meffage from the house of Burgeffes to his Excellency by M^r *Robert Beverley* and others who acquainted his Excellency that they were commanded to wait on him with the proceedings of the House of Burgeffes towards building a house for the Governor, and deserved [desired] that his Excellency [would be pleased to cause a draught of such a House as by him shal be thought most convenient to be laid before the House of Burgeffes.

A meffage to the Council by M^r *Robert Beverley* and others who delivered a Resolve of the House of Burgeffes upon the petiçon of *peter Pasquier* referred by the Council to y^e confideration of that House.

Which Resolve being read was agreed to as follows

Resolved

That His Excellency the Governor is already sufficiently impowered by Law to Naturalize the said *peter Pasquier* upon his taking y^e Oaths to her Majesty as by law is enjoined in such Cafes.

And then the Council adjourned till to morrow morning 9 a'clock.

Wednesday May the first 1706

present

HIS Excellency and the same Council as yesterday

Ordered

That the Clerk of the General Asssembly carry the following meffage from his Excellency to the House of Burgeffes in answer to their meffage sent yesterday concerning the Governors house.

Gentlemen

Your hearty [See J. of H. of B., p. 181.]

And then the Council (that they might attend the bufiness of the General Court) adjourn'd till to morrow morning 10 a'clock

Thursday

Thursday May the 2^d 1706

present

EDM^D JENINGS, Jn^o Lightfoot, Dudley Diggs, Benj^a Harrison, Rob^t Carter, Jn^o Custis Esq^{rs}, M^r Com^{ry} Blair and W^m Churchill Esq^r

A bill Entituled *an Act ag^t Stealing Hogs* read the first time and ordered a second reading

And then y^e Council adjourned till to morrow morning 10 a'clock.

Friday May the 3^d 1706

present

EDMUND JENINGS, Jn^o Lightfoot Esq^{rs}, M^r Com^{ry} Blair, Philip Ludwell and W^m Churchill Esq^{rs}

A proposition from King and Queen County for making Milldams and bridges passable for Carts read and referred to y^e consideration of y^e House of Burg^s

A Grievance from King and Queen County concerning the bounds between that County and Effex read and Referred to y^e consideration of the House of Burg^s

The petition of Major Arthur Allen praying allowance for laying out y^e Nattoway Indians land pursuant to the act of Assembly read and referred to y^e consideration of the House of Burgeses.

And then y^e Council adjourned till to morrow morning 9 a'clock.

Saturday May the 4th 1706

present

EDM^D JENINGS, John Lightfoot Esq^{rs}, James Blair Com^{ry}, Philip Ludwell & W^m Churchill Esq^{rs}

The Grievances of princefs Anne County read and Referred to y^e consideration of the house of Burgeses.

The peti^{on} of John Redwood for his Sallary as Keeper of y^e publick Goal & the peti^{on} of Jn^o Redwood for allowance for entertaining 12 Indians two days were Severally read and referred to y^e consideration of the house of Burgeses

An acco^t of M^r Cary for several Expences about y^e Capitol Read & Referred to y^e consideration of the house of Burgeses.

And then the Council adjourned till Munday morning 9 a'clock.

Munday May 6th 1706

present

JOHN CUSTIS Esq^t, M^r Com^{ry} Blair, Philip Ludwell, Henry Duke & W^m Churchill Esq^{rs}

A bill Entituled *an Act concerning the Collection of the publick & County Levys & for the better payment of the same to the respective Cred^{rs} therein concern'd* Read the first time and Ordered a 2^d reading.

A bill Entituled *an Act for prevention of Trespasses by unruly horses, Cattle, hogs Sheep and Goats and by taking away Boats and Canoes* read the first time and Ordered a 2^d reading.

A bill Entituled *an Act for establishing the General Court and for regulating & settling the proceedings therein*, Read the first time and Ordered a second reading.

Philip Ludwell Esq^r absent. & Edm^a Jenings & John Lightfoot Esq^{rs} present

A bill Entituled *an Act against Stealing hogs* read the second time and Committed for amendments.

A bill Entituled *an Act to prevent killing Deer at unseasonable times* read y^e 2^d time and ordered a third reading.

A bill Entituled *an Act giving a Reward for killing of Wolves* read y^e 2^d time and Ordered a third reading.

A bill Entituled *an Act concerning publick Claims* read y^e 2^d time and ordered a third reading

A bill Entituled *an Act for ascertaining the Gage of Barrells for pork, beef, Tarr and pitch* read the 2^d time and ordered a third reading.

A bill Entituled *an Act to prevent the Clandestine transportation or carrying of persons in debt, Servants and Slaves out of this Colony* read the second time and ordered a third reading.

A bill Entituled *an Act for regulating the Election of Burgeffes for settling their privileges and ascertaining their allowances* read y^e 2^d time and Committed for amendm^{ts}

And then y^e Council adjourned till to morrow morning 9 a'clock.

Tuesday May 7th 1706

present

EDMUND JENINGS, Jn^o Lightfoot, John Custis Esq^{rs}, M^r Com^{rs} Blair, Philip Ludwell, W^m Baffett, Henry Duke and W^m Churchill Esq^{rs}

A bill Entituled *an Act concerning publick Claims* read the 3^d time and passed without amendment

A bill Entituled *an Act giving a Reward for killing of wolves* read the third time and passed without amendment

A bill Entituled *an Act to prevent killing Deer at unseasonable times* read the third time, and an Amendment made thereto, w^{ch} being thrice read & agreed to

Resolved

That the Bill with y^e amendment do pass.

Ordered

That the Clk of the General Affembly carry the above three bills to the house of Burgeffes and acquaint them that the Council have passed two of them without amendment and have made an Amendment to y^e other to w^{ch} they desire the concurrence of that house.

Present His Excellency

Ordered

That the Clerk of the General Affembly carry the following written meffage from his Excellency to the house of Burgeffes

Mr Speaker and Gentlemen of the House of Burgeffes

Captain Thompson [See J. of H. of B., pp. 184-185.]

His Excellency absent

A meffage from the Burgeffes to y^e Council by M^r Peter Beverley & others who brought a Bill Entituled *an Act for settling the Militia* and a Bill Ent^d *An Act concerning Tithables* to w^{ch} they desire the Councils concurrence

A bill Ent^d *an Act for settling the Militia* read y^e first time and ordered a Second reading

A bill Ent^d *an Act concerning Tithables* read the first time and ordered a second reading.

A bill Ent^d *an Act ag^t Stealing hoggs* being amended was read y^e third time with y^e amendm^{ts}

Resolved

That the Bill with y^e amendments do pass.

Ordered

That y^e Clerk of the Gen^l Affembly carry the said bill to y^e House of Burgeffes and desire their concurrence to y^e Councils amendments thereto.

And then y^e Council adjourned till tomorrow morning 9 a'clock

Wednesday

Wednesday May the 8th 1706

Present

EDM^d JENINGS, Benj^a Harrison, Jn^o Custis Esq^{rs}, M^r Com^{ry} Blair, Philip Ludwell, W^m Bassett & Henry Duke Esq^{rs}

A bill Ent^d an Act for ascertaining the Gage of Barrells for pork, beef, tarr & pitch read the 3^d time and passd without amendment

Jn^o Lightfoot Esq^r present

A bill Entitled an Act to prevent the clandestine transportaçon or carrying of persons in debt, Servants and Slaves out of this Colony read the third time and passd without amendment.

W^m Churchill Esq^r present

A bill Entitled an Act for encouragement of the Land Frontiers read the third time with y^e amendments

Resolved

That y^e Bill with the amendm^{ts} do pass.

Jn^o Lightfoot Esq^r absent

A bill Entitled an Act for settling the Militia read y^e second time and committed for amendments.

A message from the Burgeesses to y^e Council by M^r Robert Beverley and others acquainting their Hon^{rs} that y^e house of Burgeesses upon consideration of his Excell^{cy}s message on the unfortunate news of the spoils committed by the french in the West Indies desire a Conference with y^e Council on y^e Subject matter of the said message.

Resolved

That Edm^d Jenings, Benj^a Harrison, Jn^o Custis and Philip Ludwell Esq^{rs} be Appointed to manage the Conference with the Burgeesses on y^e Subject matter of his Excell^{cy}s message sent to the house yesterday.

Ordered

That y^e Clerk of the Gen^l Affsembly acquaint the house of Burgeesses that the Council agree to the Conference desired by that house and have appointed four of their members to manage the 1^d Conference who will be ready immediatly in the Conference Room.

And then the managers went to y^e Conference. And being returned M^r Secry Jenings Reported that they had mett the Burgeesses and discoursed of sev^l matters for the defence of the Country, but that y^e Burgeesses having no further power than to advise & discourse on the methods proper to be taken in this conjuncture, were returned to their House to report what had been proposed and debated.

A petition of Rebecca penkethman widow praying leave to bring in a Bill for y^e Sale of part of the lands of her deceas'd husband for payment of his debts Read and Referred to y^e consideration of the house of Burgeesses

And then the Council adjourned till to morrow morning 9 a'clock.

Thursday May 9th 1706

present

EDMUND JENINGS, Jn^o Lightfoot, Benj^a Harrison, Jn^o Custis Esq^{rs}, M^r Com^{ry} Blair, Philip Ludwell, W^m Bassett, W^m Churchill Esq^{rs}

Ordered

That Dudley Diggs and Henry Duke Esq^{rs} be excused from attending the Council while they are employed in settling the late M^r Aud^r Byrds acco^{ts}

A bill Entitled an Act for regulating the Elections of Burgeesses for Settling their priviledges and ascertaining their allowances. read y^e third time with y^e amendments

Resolved

That y^e bill with y^e amendm^{ts} do pass

A bill Ent^d an Act for Settling the Militia read the third time with the amendm^{ts}
Resolved

That the bill with y^e amendm^{ts} do pass

Ordered

That the Clk of the Gen^l Assembly carry the f^d bills with those passed yesterday to the house of Burgeffes and desire their concurrence to the amendm^{ts} made thereto by the Council

A bill Entitled an Act concerning the collection of the publick and County Levys and for the better payment of y^e same to the respective Creditors therein concerned read y^e second time and Ordered a third reading

A bill Entitled an Act for prevention of Trespasses by unruly horses Cattle hoggs, Sheep and Goats and by taking away Boats and Canoes read y^e 2^d time and Committed for amendments.

His Excellency present

A message to his Excellency from the House of Burgeffes by Mr W^m Randolph and others who brought the following proceedings of the house in answer to his Excell^{cy} message concerning the Spoils committed by the french in the West Indies

“May it please Yo^r Excellency

“Having taken [See J. of H. of B., p. 187.]

His Excell^{cy} absent

A bill Entitled an Act concerning Tithables read y^e 2^d time & ord^d a third reading

A bill Entitled an Act for establishing the Gen^l Court and for regulating and Settling the proceedings therein read y^e second time and Committed for amendments.

And then y^e Council adjourned til to morrow morning 9 a'clock.

Thursday [Friday] May the 10th 1706

Present

EDMUND JENINGS, John Lightfoot, Dudley Digges, Benj^s Harrison, Jn^s Custis Esq^{rs}, Mr Com^{ry} Blair, Philip Ludwell, W^m Baffett, Henry Duke & W^m Churchill Esq^{rs}

A bill Entitled an Act concerning Tithables being offered for a third reading Some amendments were proposed to be made thereto, w^{ch} being admitted and y^e f^d amendm^{ts} twice read,

The bill with the amendm^{ts} was read the third time

Resolved

That the bill with y^e amendments do pass.

A bill Entitled an Act for preventing Trespasses by unruly horses, Cattle hogs sheep and Goats and by taking away boats and Canoes read y^e 3^d time with the amendm^{ts} and y^e question be [being] put that the amendm^{ts} be added to the bill

It passed in the Negative

Resolved

That the Bill be passed without amendment

A bill Entitled an Act concerning the Collection of the publick and County Levys and for payment of the same to the respective Creditors therein concern'd Read the third time and passed without amendment

A bill Entitled an Act for establishing the General Court and for regulating and Settling the proceedings therein Read the third time with y^e amendm^{ts}

Resolved

That the Bill with the amendments do pass.

Ordered

That the Clerk of the General Assembly carry the aforefaid Bills to the House of Burgeffes and desire their concurrence to such amendm^{ts} as are made thereto by the Council.

A meffage from the houfe of Burgeffes to y^e Council by M^r Miles Cary & others who brought the following Bills viz a Bill Entituled *an Act concerning Servants and Slaves*, A bill Entituled *an Act for making, Clearing and repairing the high ways and for clearing the Rivers and Creeks*. A bill Entituled *an Act for the more speedy and eafy profecution of Slaves committing Capital Crimes*. A bill Entituled *an Act concerning Marriages*. A bill Entituled *an Act concerning Waifts and Strays*, and a bill Ent^d *an Act for regulating Ordinarys for restraint of tipling houfes*, to w^{ch} they defire the Councils concurrence.

And then the Council adjourn'd till to morrow morning 9 aclock.

Saturday May 11th 1706

prefent

EDM^d JENINGS, Benj^a Harrison, John Cuftis, Henry Duke and W^m Churchill Esq^{rs}
A bill Entituled *an Act concerning Waifts and Strays* read the firft time and Ordered a fecond reading.

A bill Entituled *an Act concerning marriages* read the firft time and ordered a Second reading.

A bill Entituled *an Act for the Speedy and eafie profecution of Slaves committing capital Crimes* read the firft time and ordered a fecond reading.

A bill Entituled *an Act for making Clearing and repairing the highways and for Clearing the Rivers and Creeks* read y^e firft time and ordered a fecond reading

A bill Entituled *an Act for regulating Ordinarys and restraint of tipling houfes* Read the firft time, and ordered a fecond reading

A bill Entituled *an Act concerning Servants and Slaves* read the firft time and Ordered a Second reading.

Jn^o Lightfoot, Dudley Diggs Esq^{rs}, M^r Com^{ry} Blair, Philip Ludwell & William Baffett Esq^{rs} Prefent

A meffage from the houfe of Burgeffes to the Council by M^r William Randolph and others acquainting their Hon^{rs} that the houfe had agreed to y^e amendm^{ts} made by their Hon^{rs} to y^e feveral following bills and had inferted them therein viz to the Bill for limitation of a^{ct}ions and avoiding of Suits the bill concerning Jurys, the Bill to prevent killing Deer at unfeafonable times the Bill declaring who fhall not bear Office in this Country, the Bill for regulating the election of Burgeffes for fettling their priviledges and afcertaining their allowances, and to y^e bill for Eftablifhing the General Court & for regulating and fettling the proceedings therein.

And the faid Bills being Examined,

Ordered that the Clerk of the General Affembly return them to the houfe of Burgeffes and acquaint them that y^e Council have paffed y^e fame as amended.

A meffage from the houfe of Burgeffes to the Council by M^r Peter Beverley and others, that the houfe had agreed to their amendm^{ts} made to the bill Ent^d *an Act prefcribing the method of appointing Sherifs & Limiting the time of their continuance in office and directing their duty therein* with a fmall amendment to w^{ch} they defire the concurrence of y^e Council.

Refolved

That the amendm^t propofed by the Burgeffes to the Councils amendm^t to the f^d Bill be agreed to

Ordered

That the Clk of the General Affembly carry back y^e f^d bill to y^e houfe of Burgeffes and acquaint them that y^e Council agree to y^e amendm^t propofed by them.

A meffage from the houfe of Burgeffes to the Council by M^r Miles Cary and others that the Houfe had agreed to the amendm^{ts} made by their Hon^{rs} to the bill Entituled *an Act declaring how long Judgements, Bonds obligaçons and Acco^{ts} fhall be pleadable, &c* and had inferted them therein.

And

And the amendments being compared With y^e bill

Ordered, that the Clk of the Gen^l Affembly return the f^d bill to y^e Houfe of Burg^s and acquaint them that y^e Council have paffed y^e fame as amended.

His Excellency prefent

Ordered

That the Clerk of the General Affembly carry the following meffage in writing from his Excellency and the Council to the Houfe of Burgefles

Mr Speaker and Gent of the Houfe of Burgefles

His Excellency and the Council having [See J. of H. of B., p. 191.]

A petition of *Rich^d Ligon* praying allowance for laying out five thoufand and fourty acres of Land for the *French Refugees* at *Manicantown* read and referred to the confideration of the houfe of Burgefles

His Excellency prefent

A meffage from the Burgefles to y^e Council by *Mr Rob^t Beverley* & others that the Houfe had agreed to part of the amendments made by their Hon^{rs} to the Bill Entituled *an Act ag^t Stealing hoggs* and to the reft of the amendm^{ts} they could not agree, and therefore defire the Council to pafs the bill wthout them.

Refolved

That the Council do not infift on fo much of their amendm^{ts} to y^e f^d bill as are difagreed to by the houfe of Burgefles.

A meffage to the Council from the Houfe of Burgefles by *Mr Peter Beverley* and others that the Houfe had agreed to part of the amendm^{ts} made by their Hon^{rs} to the Bill Ent^d *an Act concerning Tithables*, and to y^e reft they could not agree, and therefore defire that the Council will pafs the Bill without them.

Refolved

That the Council do not infift on fo much of y^e laid amendments as are difagreed to by the houfe of Burgefles.

Ordered

That the Clerk of the Gen^l Affembly carry the two laft mentioned Bills to the Houfe of Burgefles and acquaint them that the Council are content to pafs y^e fame without y^e addition of fo much of their amendm^{ts} as that houfe have difagreed to.

And then y^e Council adjourn'd till *Munday* morning 9 aclock.

Munday May 13th 1706

prefent

EDMUND JENINGS, *Benj^s Harrifon, Robert Carter Efqr^s, James Blair Com^{rs}, Philip Ludwell, W^m Churchill Efqr^s*

A Memorial of Coll^o *Fitzhugh* for Leave to keep a fferry over *Potomack* between *Virginia* and *Maryland* Read and referred to y^e confideraçon of the Houfe of Burgefles.

A bill Entituled *an Act for making, Clearing and repairing the highways and for Clearing the Rivers and Creeks* read y^e 2^d time and Committed for amendm^{ts}

A bill Entituled *an Act for the more eafy profecution of slaves committing Capital Crimes* read y^e fecond time and Ordered a third reading.

A bill Entituled *an Act concerning marriages* read the fecond time and Committed for amendments

A meffage to the Council from the Houfe of Burgefles by *Mr Rich^d Bland* and others who brought the Bill Entituled *an Act concerning Tithables* and y^e Bill Ent^d *an Act ag^t Stealing hoggs* and acquainted their Hon^{rs} that the Houfe had inferted y^e amendments in the laid Bills as agreed unto by their Hon^{rs}

A bill Entituled *an Act for regulating Ordinarys and restraint of tippling houfes* read the Second time and Committed for amendments.

A bill Entituled *an Act concerning Waifts and Strays* read the 2^d time and an amendment made thereto, and ordered to be read a third time

And then y^e Council adjourn'd till to morrow morning 8 aclock.

Tuesday

Tuesday May the 14th 1706

present

EDMUND JENINGS, *Dudley Digges, Benj^a Harrifon, Robert Carter Esq^r, James Blair Com^{ry}, Philip Ludwell and W^m Churchill Esq^r*

A Bill Entituled *an Act concerning Waifts and Strays* read the third time with the amendments

Resolved

That the Bill with y^e amendments do pafs.

A bill Entituled *an Act for the Speedy and easie profecution of Slaves committing Capital Crimes* read the third time and paffed without amendment.

A bill Entituled *an Act for regulating Ordinarys and restraint of tippling houses* read the third time with the amendments

Resolved

That the bill with the amendments do pafs,

A meffage from the houle of Burgefles to y^e Council by Mr *Bland* and others that the Houfe had inferted the amendments in the Bill Entituled *an Act prefcribing the method of appointing Sherifs and limiting the time of their continuance in office and directing their duty therein* according as they had been agreed unto by their Hon^{rs} and that houle.

Ordered, that the Clerk of the Gen^l Affembly Return y^e faid Bill with the Bill concerning Tithables to the houle of Burgefles and acquaint them that y^e Council have paffed y^e fame as amended.

John Lightfoot & Henry Duke Esq^{rs} present

A bill Entituled *an Act for making, Clearing, and repairing the high ways and for Clearing the Rivers and Creeks* read the third time with y^e amendments

Resolved

That the Bill with the amendments do pafs

Ordered

That the Clerk of the Gen^l Affembly carry to the houle of Burgefles the feveral bills paffed this day by the Council, and acquaint them that the Council defire their concurrence to fuch amendments as are propofed by their Hon^{rs} to y^e f^d Bills.

A meffage from the Burgefles to y^e Council by Mr *William Edwards* and others who brought the following bills paffed by the houle *Viz* a bill Entituled *an Act for fettling and afcertaining the current rates of forreign Coins in this Dominion.* A bill Ent^d *an Act for encouragement of building Water Mills.* A bill Entituled *an Act directing the manner of Levying Executions, and for relief of poor prifoners for Debt,* to which they defire the Councils concurrence.

The feveral petitions of the Veftry of *James City* parifh and of the Inhabitants of the Lower part of *Wilmington* parifh Read and referred to y^e confideracon of the houle of Burgefles

And then the Council adjourned till to morrow morning 8 aclock.

Wednesday May 15th 1706

present

JN^o LIGHTFOOT, *Dudley Digges, Benj^a Harrifon, Rob^t Carter Esq^r and James Blair Com^{ry}*

A bill Ent^d *an Act for Settling and afcertaining the current Rates of forreign Coines in this Dominion,* read the firft time and ordered a Second reading

A bill Entituled *an Act for encouragement of building Water Mills* read y^e firft time and Ordered a Second reading.

A Bill Entituled *an Act directing the manner of Levying Executions and for Relief of poor prifoners for debt* read the firft time and ordered a fecond reading

W^m Baffet & Henry Duke Esq^{rs} present

A meffage from the houle of Burgefles to y^e Council by Mr *Peter Beverley* & others who brought the Bill Entituled *an Act for improving y^e Staple of tobacco and for regulating the*

the Size and Tare of tobacco hogsh^{ds}, and acquainted their Hon^{rs} that the house had agreed to part of the amendm^{ts} proposd by them to y^e f^d bill, and to others they cannot agree, and therefore desire their Hon^{rs} will be pleased not to infist any further on y^e said amendm^{ts} so disagreed to

Edm^d Jenings Esq^r present

A bill Entituled *an Act concerning Servants and Slaves* read the second time, & Committed for amendm^{ts}

A bill Entituled *an Act concerning Marriages* read the third time with y^e amendments
Resolved

That the Bill with the amendments do pass.

Ordered

That the Clerk of the Gen^l Affembly carry the said Bill to the house of Burgeffes and desire their concurrence to y^e amendm^{ts} made thereto by y^e Council

And then y^e Council adjourn'd till to morrow morning 8 a'clock.

Thursday May 16th 1706

present

EDMUND JENINGS, *John Lightfoot, Benj^a Harrifon Esq^{rs}, M^r Com^{ry} Blair, Philip Ludwell, W^m Baffett & Henry Duke Esq^{rs}*

A bill Ent^d *an Act concerning the Church Clergy and other parochial affairs*

Read the third time with y^e amendments

Resolved

That the Bill with the amendments do pass

Ordered, that the Clerk of the Gen^l Affembly carry y^e f^d bill to y^e house of Burgeffes and desire their concurrence to the amendments made thereto by y^e Council

A bill Entituled *an Act settling and ascertaining the Current Rates of forreign Coines in this Dominion* Read y^e 2^d time and Committed for amendm^{ts}

Robert Carter Esq^r present

A Bill Entituled *an Act for encouragement of building Water Mills* read y^e second time and an Amendment made thereto,

Ordered

That the Bill with the amendm^t be read a third time

And then the Council adjourn'd till to morrow morning 9 a'clock.

Tuesday [Friday] May the 17th 1706

present

EDMUND JENINGS, *Benj^a Harrifon, Rob^t Carter Esq^{rs}, James Blair Com^{ry}, Philip Ludwell, W^m Baffett & Henry Duke Esq^{rs}*

A bill Entituled *an Act for settling and ascertaining the Current rates of forreign Coines in this Dominion* read the third time with the amendments

Resolved

That the bill with the amendments do pass

Ordered

That the Clerk of the General Affembly carry the said Bill to y^e House of Burgeffes and acquaint them that y^e Council have passd y^e same with some amendm^{ts} to w^{ch} they desire the concurrence of that House.

The

The Council having taken into consideration the amendm^{ts} made by them to y^e Bill Entituled *an Act for improving the Staple of Tobacco, and for ascertaining the Size and Tare of tobacco hogfhds*, w^{ch} the house of Burgeffes have disagreed to,

Resolved

That y^e Council do not insift on so much of their amendm^{ts} as are disagreed unto by the house of Burg^s

Ordered

That y^e Clk of the Gen^l Affembly Carry the said bill to y^e house of Burgeffes and acquaint them therewith.

A bill Entituled *an Act for the encouragement of building Water mills* read y^e third time with y^e amendments

Resolved

That the Bill with y^e amendm^t do pass

A Bill Entituled *an Act concerning Servants and Slaves* read y^e third time with the amendm^{ts}

Resolved

That y^e bill with y^e amendm^{ts} do pass.

Ordered

That the Clerk of the Gen^l Affembly carry the said Bills to y^e House of Burgeffes and acquaint them that the Council have passed the same with several amendments to w^{ch} they desire the concurrence of that house.

A petiçon of *Miles Cary W^m Buckner & W^m Robertson* Attorneys of Coll^o *Francis Nicholson* praying that directions may be given for Conveying the Country houses to the f^d Coll^o *Nicholson* according to an Ordinance of Affembly read & refer'd to y^e consideration of the house of Burg^s

And then the Council adjourned till to morrow morning 8 a'clock.

Saturday May 18th 1706

present

EDMUND JENINGS, *John Lightfoot, Benj^a Harrison, Rob^t Carter Esq^{rs}, James Blair Com^{rs}, Philip Ludwell, W^m Baffett, Henry Duke Esq^{rs}*

A bill Entituled *an Act directing the manner of Levying executions and for relief of poor prisoners for debt*, read the 2^d time, and an amendm^t being made thereto,

Ordered, that y^e bill with y^e amendm^t be read a third time.

A message from the Burgeffes to the Council by M^r *Miles Cary* & others who brought a Bill Entituled *an Act for laying an Imposition on Liquors & Slaves* to w^{ch} they desire the concurrence of the Council.

A petition of *Edward Creekmore* and others complaining of encroachments made by the Officers of the Govern^t of *Carolina* in exacting Quittrents of them tho they hold their Land by patents from *Virginia*, Read and Referred to y^e confideraçon of the House of Burgeffes.

A bill Entituled *an Act for laying an Imposition upon Liquors & Slaves* Read the first time and Ordered a Second reading

And then the Council adjourn'd till *Munday* morning 8 a'clock

Munday May 20th 1706

present

EDMUND JENINGS, *Rob^t Carter & James Blair Esq^{rs}*

The Council adjourned till to morrow morning 8 a'clock

Tuesday

Tuesday May 21st 1706

present

DUDLEY DIGGES, Benj^a Harrifon, Rob^t Carter Esq^r, James Blair Com^{rs} and Henry Duke Esq^r

A meffage to y^e Council from the houle of Burgefles by M^r Miles Cary & others who acquainted their Hon^{rs} that y^e houle had agreed to y^e amendm^{ts} propofed by them to the bill Entituled *an A^{ct} concerning marriages*, to the Bill Ent^d *an A^{ct} concerning Waifts and Strays*, to y^e Bill Ent^d *an A^{ct} for encouragement of building water Mills* and to y^e Bill Ent^d *an A^{ct} for regulating Ordinarys and restraint of tippling houfes*, and that the houle had alfo inferted y^e amendm^{ts} made by their Hon^{rs} to y^e bill Ent^d *an A^{ct} for improving the Staple of tobacco and for regulating y^e Size and tare of tobacco hogfheads* And alfo brought the bill Ent^d *an A^{ct} concerning Servants and Slaves*, and acquainted the Council that the Houfe had agreed to part of their Hon^{rs} amendm^{ts} and to part they could not agree, and defired the Council to pafs y^e bill without thofe amendm^{ts}

Edmund Jenings & Jn^o Lightfoot Esq^{rs} present

The amendm^{ts} made by the Council to the Bill Entituled *an A^{ct} concerning Servants and Slaves* being read

Refolved

That y^e Council do not infift on fo much of the faid amendm^{ts} as are difagreed unto by the houle of Burgefles

Ordered

That y^e Clerk of the General Affembly carry back the faid bill to the Houfe of Burgefles and acquaint them that y^e Council do not infift on y^e f^d Amendm^{ts}.

Ordered

That the Clerk of the Gen^l Affembly carry to y^e houle of Burgefles the feveral bills fent up this day from the Burgefles and acquaint them that y^e Council have paffed y^e fame as amended.

A bill Entituled *an A^{ct} directing the manner of Levying Executions and for relief of poor prifoners for debt* read the third time with y^e amendm^{ts}

Refolved

That y^e bill with y^e amendm^{ts} do pafs.

Ordered

That y^e Clk of the Gen^l Affembly carry the faid bill to y^e houle of Burgefles and acquaint them that the Council have agreed thereunto with fome amendm^{ts} to w^{ch} they defire the concurrence of that Houfe

The petition of *John Holt* praying leave to keep a fferry over *James River* Read and Referred to y^e confideration of the houle of Burgefles

A bill Entituled *an A^{ct} laying an Impofition on Liquors and Slaves* read the 2^d time and ordered to ly on y^e table for a third reading.

Ordered

That the Clerk of the Gen^l Affembly carry the following meffage from the Council to y^e houle of Burgefles

M^r Speaker & Gent. of the houle of Burgefles

The Council being defirous [See J. of H. of B., p. 199.]

And then y^e Council adjourned till to morrow morning 8 aclock.

Wednesday May 22^d 1706

present

EDMP^d JENINGS, Jn^o Lightfoot, Dudley Digges, Benj^a Harrifon, Rob^t Carter Esq^r, James Blair Com^{rs}, Philip Ludwell, W^m Baffett and Henry Duke Esq^r

A meffage to the Council from the Houfe of Burgefles by M^r Miles Cary and others defiring a Conference with their Hon^{rs} on y^e Subject matter of their laft meffage.

Refolved

Resolved

That y^e Council do agree to y^e Conference desired by the Burgeffes, and *Benj^a Harrison Esq^r Rob^t Carter Esq^r & M^r Com^r Blair* were appointed Managers

Ordered

That the Clerk of the General Affembly go to y^e house of Burgeffes and acquaint them that the Council agreed to the Conference desired by that house on y^e Subject matter of the Councils last message, and have appointed three of their members to meet such a number of Burgeffes as that house shal think fitt and that y^e managers for the Council are now ready in the Conference Room.

His Excellency present

Ordered

That the Clerk of the Gen^l Affembly carry the following message from his Excellency to the House of Burgeffes,

Gentlemen

The danger that threatned us from the power of [See J. of H. of B., pp. 200-1.]

And then y^e Council adjourned till to morrow morning 8 a'clock.

Thursday May 23^d 1706

present

EDM^d JENINGS, Jn^o Lightfoot, Dudley Digges, Benj^a Harrison, Robert Carter Esq^r, Ja Blair Com^r, Philip Ludwell, W^m Bassett & Henry Duke Esq^r

A message to the Council from the Burgeffes by M^r Rob^t Beverley and others who brought the Bill Entituled *an Act for settling and ascertaining the Current rates of forreign Coines in this Dominion* and acquainted their Hon^{rs} that the house disagreed to all their amendm^{ts} to y^e 1^d Bill and desired that the Bill may be passed without them.

Ordered

That the said Bill ly upon the Table.

A petition of *Robert Beverley George Marable & Jn^o Geddes* Gent^s praying a Grant of y^e Bricks of the old State house at *James town* for building a Court house there Read and Referred to the consideration of the house of Burgeffes.

A message to the Council from the Burgeffes by M^r W^m Randolph & others who brought the following Resolves in answer to their Hon^{rs} message concerning an exception in y^e bill for laying an Imposition on Liquors and Slaves, w^{ch} Resolves are as follow.

“*Resolved*, that leave be given to y^e Council to amend the bill for Laying an Imposition upon Liquors and Slaves according to their message.

“*Resolved*, that y^e amendment proposed be made in this manner, To witt, by striking out a proviso in y^e said Bill in these words “*Provided nevertheless and it is hereby Enacted and declared that no Custom or duty whatsoever shal be exacted or paid for Beer of any sort imported in any ship or Veffell w^{ch} shal come directly from England, Wales or the town of Berwick upon Tweed, if the same were Laden or put on board to be spent in such Ship or Veffell for the use of the Company belonging to her, and upon no other account whatsoever, but that all such Beer shal remain & continue exempt and free from any Imposition duty or Custom imposed by this act as if this act had never been made.*

And inserting in y^e room thereof a proviso in these words, “*provided nevertheless and it is hereby Enacted & declared that no duty or Custom whatsoever shal be required or paid for any of the Liquors before enumerated w^{ch} shal come directly from England Wales or the Town of Berwick upon Tweed, but that all such Liquors shal remain and continue exempt and free from any Imposition duty or Custom Levyed or raised by this act as if this act had never been made.*

Then

Then the Bill Entituled *an Act laying an Impofition on Liquors & Slaves* being amended according to y^e above Refolves, the faid Bill and amendm^{ts} were read y^e third time

Refolved

That the Bill do pafs.

Ordered

That the Clk of the Gen^l Affembly carry y^e f^d bill to the houfe of Burgefles, and acquaint them that the Council have inferted therein the amendments fent up by that houfe and have paffed the fame accordingly.

A meffage from the Burgefles to y^e Council by M^r Rob^t Beverley & others who brought the following bills *viz* a bill Ent^d *an Act concerning the granting Seating and planting and for Settling the titles and bounds of Lands & for preventing unlawful shooting & Ranging thereupon*, and a bill Entituled *an Act directing y^e duty of Surveyors of Land & afcertaining their fees* to w^{ch} they defire the Councils concurrence.

And then y^e Council adjourned till to morrow morning 8 aclock

Friday May the 24th 1706

prefent

EDMUND JENINGS, Jn^o Lightfoot, Benj^a Harrifon Efqr^s, M^r Com^{ry} Blair, Philip Ludwell, W^m Baffett & Henry Duke Efqr^s

A bill Entituled *an Act directing the duty of Surveyors of Land & afcertaining their fees* read the firft time and ordered a fecond reading.

A bill Entituled *an Act concerning the granting, feating and planting & for fettling the titles and bounds of Lands and for preventing unlawful shooting and ranging thereupon* read the firft time and ordered a fecond reading.

And then y^e Council adjourned till to morrow morning 8 aclock

Saturday May 25th 1706

prefent

EDMUND JENINGS, Jn^o Lightfoot, Benj^a Harrifon Efqr^s, James Blair Com^{ry}, Philip Ludwell, W^m Baffett & Henry Duke Efqr^s

A meffage from the Burgefles to y^e Council by M^r Robert Beverley & others who brought 17 Inrolled bills paffed this Affembly and acqted the Council that the Burgefles had Examined them, & had fent them up to their Hon^{rs} for their Satisfaction.

Ordered

That y^e Clerk of the Gen^l Affembly carry back y^e f^d Bills to y^e houfe of Burgefles and acquaint them that y^e Council have infpected them & are fatisfyed they are truly Inrolled.

His Excell^{cy} prefent

Ordered

That y^e Clerk of the General Affembly go to the houfe of Burgefles & acquaint them that his Excell^{cy} commands their immediate attendance on him in the Council Chamber, and that they bring with them fuch bills as are ready for his Excell^{cy}s affent.

The Houfe of Burgefles attending, M^r *Speaker* addreffed himfelf to his Ex^{cy} to this effect.

May it please Yor Excellency

The Houfe of Burgefles do humbly prefent to y^r Excell^{cy} feveral bills w^{ch} have been paffed by the Council and themfelves, and they pray y^r affent to them

The firft is a Bill for laying an Impofition upon Liquors & Slaves, w^{ch} is defigned for raifing a Fund to build fuch a houfe as fhall be fitt for the refidence of yor Excell^{cy} and y^r Succelfors the Governors of this Country: This they hope will be accepted as
the

the best testimony they can give of their duty and loyalty to her Majesty and of their particular respect & esteem for yo^r Excell^{cy}, and they likewise hope that so suitable an offering of the first fruits of their consultations will be taken as an earnest of those endeavors they will always use to preserve a good understanding with yo^r Excellency.

The other bills (Except one) are part of that great work the Revival of the whole body of the Laws of this Country, w^{ch} having been long in agitation the Success is expected with impatience, and if it be now brought to perfection, the present Generation will not only be made happy, but posterity will for ever celebrate y^r Excellencys name.

Then his Excellency was pleased to give his assent to the following bills, y^e same being Signed as usual by his Excellency and the Speaker viz

An Act for laying an Imposition on Liquors and Slaves.

An Act for regulating the Elections of Burgeffes for settling their priviledges & ascertaining their allowances.

An Act prescribing the method of appointing Sheriffs, declaring the time of their continuance in office, and directing their duty therein.

An Act declaring who shal not bear office in this Country

An Act against importing tobacco from Carolina and other parts without the Capes of Virginia

An Act ascertaining the Gage of Barrells for beef, pork, Tarr and pitch

An Act concerning Tithables

An Act concerning publick Claimes

An Act concerning the Collection of the publick and County Levys and for paying the same to the respective Cred^{rs} therein concerned

An Act directing the building and maintaining of prisoners, pillorys whipping posts, Stocks and Ducking Stools in each County.

An Act for the Speedy and easie prosecution of Slaves committing capital Crimes.

An Act to prevent the clandestine transportation of persons in debt, Servants & Slaves out of this Country.

An Act concerning Waifs and Strays

An Act ag^t Stealing hoggs

An Act for prevention of Trespasses by unruly horses Cattle hoggs Sheep & Goats & by taking away Boats and Canoes.

An Act giving a Reward for killing of Wolves. and

An Act for the encouragement of the Land Frontiers.

After which his Excellency was pleased to say to this effect, That he thanked the Burg^s for the first Act presented to him laying an Imposition on Liquors and Slaves towards building a house for the Governor, that he would not fail to represent to her Majesty the duty and loyalty her Subjects of Virginia had shewed in so readily complying with her Maj^{ties} commands, and that he thought himself particularly obliged to them for carrying on so desired a work in his time, and assured them his utmost endeavors & interest should not be wanting to do the Country Service. That as M^r Speaker had observed, the Revival of the Laws was a work expected with impatience, and he was extremely pleased to perceive that they had already proceeded so great a length therein and should reckon it as a particular happiness to see the whole completed in some short time.

And then the Burgeffes withdrew

And the Council adjourned till Munday morning 9 a'clock

Munday May 27th 1706

present

EDMUND JENINGS, John Lightfoot, Benj^a Harrison Esq^{rs}, James Blair Com^{rs} and Philip Ludwell Esq^r

A bill Entituled *an Act directing the duty of Surveyors of land & ascertaining their fees*, read y^e 2^d time and amended at y^e Board.

Ordered

That the bill with the amendments be read a third time

A meſſage from the houſe of Burgeſſes to y^e Council by M^r Miles Cary & others who brought the bill Entitled *an Act for eſtabliſhing the County Courts & for regulating and ſettling the proceedings therein & directing the manner of granting probates of Wills and adminiſtrations of Inſtates Eſtates* and a bill Entitled *an Act for the better ſecuring the Liberty of the Subject*, to which they deſire the Councils concurrence. And alſo brought the Bill Ent^d *an Act concerning Servants and Slaves*, and the bill Entitled *an Act directing the manner of Levying Executions and for relief of poor priſoners for debt*, and acquainted the Council that the houſe had infered y^e amendm^{ts} in y^e f^d Bills as agreed unto

Then y^e amendm^{ts} to y^e aforeſ^d bills being Examined

Ordered

That y^e Clerk of the Gen^l Aſſembly carry y^e f^d bills to y^e houſe of Burgeſſes and acquaint them that y^e Council have paſſed y^e ſame as amended

And then y^e Council adjourned till to morrow morning 8 aclock

Tuesday May 28th 1706

preſent

EDMUND JENINGS, John Lightfoot, Dudley Digges, Benj^a Harrifon Eſq^r and James Blair Com^{rs}

A petiçon of Edmund Jenings Eſq^r Sec^{ry} praying allowance for 572 Military Commiſſions read and referred to y^e confideration of the houſe of Burgeſſes.

A bill Entitled *an Act directing the duty of Surveyors of Land and aſcertaining their fees*, read the third time with y^e amendments

Reſolved

That the bill with y^e amendments do paſs

Ordered

That the Clerk of the Gen^l Aſſembly carry the ſaid Bill to the houſe of Burgeſſes, and acquaint them that the Council have agreed thereto with ſome amendments to which they deſire the concurrence of that Houſe.

Philip Ludwell and Henry Duke Eſq^r preſent

A bill Entitled *an Act for eſtabliſhing the County Courts, and for regulating and Settling the proceedings therein, and directing the manner of granting probates of Wills and adminiſtrations of Inſtates Eſtates* read the firſt time, and ordered a 2^d reading

A bill Entitled *an Act for the better ſecuring the liberty of the Subject* read the firſt time, and ordered a ſecond reading

And then y^e Council adjourned till to morrow morning 9 aclock

Wednesday May 29th 1706

preſent

EDM^d JENINGS, John Lightfoot, Dudley Digges, Benj^a Harrifon Eſq^r, James Blair Com^{rs}, Henry Duke Eſq^r

A meſſage from y^e houſe of Burgeſſes to y^e Council by M^r Nathaniel Harrifon and others who brought a Bill Entitled *an Act for ſettling the dividing lines between the Countys of prince George, Surry, Iſle of Wight and Nanſemond on y^e Southſide the Blackwater ſwamp* to w^{ch} they deſire y^e Councils concurrence.

A meſſage from the houſe of Burgeſſes to y^e Council by M^r Rob^t Beverley and others that y^e houſe had agreed to the amendm^{ts} propoſed by their Hon^{rs} to y^e bill Entitled *an Act for making, Clearing and repairing the highways & for clearing y^e Rivers and Creeks* and to y^e bill Ent^d *an Act directing the duty of Surveyors of Land and aſcertaining their fees*, and had infered them therein That y^e houſe had alſo agreed unto part of y^e amendm^{ts} propoſed by their Hon^{rs} to y^e bill concerning the Militia with an amendm^t, and to others they could not agree and deſired the Council to paſs y^e f^d bill with ſuch of y^e amendm^{ts} only as the houſe have agreed unto

A message from the house of Burgeffes to y^e Council by M^r Rob^t Beverley and others who brought an order of that House for appropriating the bricks of the old State house at *Jamestown* to y^e use of y^e f^d County to w^{ch} they desire the Councils concurrence.

Which order was read & agreed unto & is as follows

Ordered

That y^e Bricks of y^e old State house at *James town* be appropriated to y^e use of *James City* County for the building a Court house in y^e said County, and that no person presume to make use of the said Bricks on any other account whatsoever.

The amendments to the Bill Ent^d *an Act directing the duty of Surveyors of Land and ascertaining their fees*, and to y^e bill Ent^d *an Act for making Clearing & repairing the high ways and for clearing the Rivers and Creeks* being compared as inserted in the Bills

Ordered

That y^e Clk of the General Assembly carry back the f^d Bills to y^e house of Burgeffes, and acquaint them that y^e Council have passed y^e same with y^e amendm^{ts} agreed unto by their Hon^{rs} & that house. And that y^e Clk of y^e Gen^l Assembly acquaint y^e house that y^e Council have agreed to y^e order for appropriating y^e bricks of the old State house at *James Town* to y^e use therein mentioned.

A bill Entitled *an Act for settling the dividing Lines between the Countys of Prince George, Surry, Isle of Wight and Nanfemond on y^e Southside Blackwater swamp* read the first time and ordered a 2^d reading.

The amendm^{ts} proposed by the Council to y^e bill Ent^d *an Act for settling y^e Militia*, and disagreed to by the house of Burgeffes being read

Ordered

That y^e same ly upon y^e table for further consideration

A bill Entitled *an Act for the better securing the Liberty of the Subject* read y^e second time and Ordered a third reading.

And then y^e Council adjourned till to morrow morning 9 aclock.

Thursday May 30th 1706

present

EDM^d JENINGS, Jn^o Lightfoot, Dudley Diggs, Benj^a Harrison, Rob^t Carter Esq^r,
James Blair Com^{rs} & Henry Duke Esq^r

A bill Entitled *an Act for the better securing y^e liberty of y^e Subject* read the third time and passed without amendment

Ordered

That y^e Clk of the Gen^l Assembly carry the said bill to y^e house of Burgeffes & acquaint them that y^e Council have agreed thereto without amendm^t

A message from the Burgeffes to y^e Council by M^r Miles Cary and others who brought the Bill Entitled *an Act concerning the Church Clergy and other parochial affairs*, and acquainted the Council that the house had agreed unto some of the amendments proposed by their Hon^{rs} to y^e said Bill and to y^e other of their amendm^{ts} had disagreed, and desired their Hon^{rs} not to insist upon so much of y^e said amendm^{ts} as are disagreed unto by the House.

A bill Entitled *an Act concerning the granting, Seating and planting and for settling the Titles and bounds of lands and for preventing unlawful shooting and ranging thereupon* read the second time and Committed for amendments.

A message to y^e Council from the Burgeffes by M^r Rob^t Beverley & others who brought a Bill Entitled *an Act for Naturalizaⁿ*, and a bill Entitled *an Act confirming the Naturalizaⁿ of Joshua Mulder and others*, to w^{ch} they desire the Councils concurrence.

A bill Entitled *an Act confirming the Naturalizaⁿ of Joshua Mulder & others*. and

A bill Entitled *an Act for Naturalization*, were read y^e first time and Ordered a Second reading

And then y^e Council adjourn'd till to morrow morning 9 aclock.

Friday

Friday May the 31st 1706

Present

EDMUND JENINGS, John Lightfoot, Dudley Diggs, Benj^a Harrison, Rob^t Carter Esq^r, Ja Blair Com^{rs}, Philip Ludwell and Henry Duke Esq^r

A message from the Burgeffes to y^e Council by M^r W^m Randolph and others who brought a Bill Entituled *an Act declaring the Negro, Mulatto and Indian Slaves within this Dominion to be real Estate*, and a Bill Ent^d *an Act for prevention of misunderstandings between the Tributary Indians & other her Majestys Subjects of this Colony and Dominion, and for a free and open trade with all Indians whatsoever*, to w^{ch} they desire the Councils concurrence.

A bill Entituled *an Act declaring y^e Negro, Mulatto & Indian Slaves within this Dominion to be real Estate* read y^e first time and Ordered a 2^d reading

A bill Entituled *an Act for prevention of misunderstandings between the Tributary Indians and other her Majestys Subjects of this Colony & Dominion & for a free & open trade with all Indians whatsoever* Read y^e first time & ordered a Second reading.

The Council took into consideration the bill concerning y^e granting seating & planting and for Settling y^e titles and bounds of Lands and for preventing unlawful Shooting and ranging thereupon. and made severall amendments thereto, and

Ordered

That y^e bill with y^e amendm^{ts} be read a third time.

And then y^e Council adjourned till to morrow morning 8 aclock.

Saturday June y^e 1st 1706

present

EDMUND JENINGS, John Lightfoot, Benj^a Harrison, Rob^t Carter Esq^r, Ja Blair Com^{rs}, Philip Ludwell & Henry Duke Esq^r

A message to the Council from the Burgeffes by M^r W^m Robinson & others who brought the following Bills past by the Burgeffes viz a bill Entituled *an Act laying an Impofition upon skins & furs for the better Support of y^e College of William and Mary in Virginia*. A bill Entituled *an Act making the french Refugees settled at y^e Manakin town & parts adjacent a distinct parish by themselves, and exempting them from the payment of publick and County Levys untill the 25th day of November 1708*. A bill Entituled *an Act to prevent Indians hunting and ranging upon patented Lands*. A bill Entituled *an Act for enlarging the power of the Sherif attending the General Court*, and a bill to prevent Ships sailing in contempt of Embargos, To w^{ch} they desire the Councils concurrence.

A bill Entituled *an Act concerning the granting, Seating and planting & for Settling the titles and bounds of Lands and for preventing unlawful shooting & ranging thereupon*, Read y^e third time with the amendm^{ts}

Resolved

That y^e bill with the amendments do pass.

A bill Entituled *an Act laying an Impofition upon Skins & furs for the better Support of the College of W^m & Mary in Virginia* read the first time and ordered a second reading

A Bill Entituled *an Act making the French Refugees inhabiting at the Manakin town and parts adjacent a distinct parish by themselves and exempting them from the payment of publick & County Levys untill the 25th day of Decem^r 1708*, Read the first time and Ordered a second Reading.

A Bill Entituled *an Act to prevent Indians hunting and ranging upon patented Lands* read the first time and Ordered a second reading.

A Bill Entituled *an Act for enlarging the power of the Sherif attending the Gen^l Court* read the first time and Ordered a second reading.

A bill Entituled *an Act to prevent ships sailing in contempt of Embargoes* read the first time and Ordered a second reading.

And then y^e Council adjourned till Munday morning 8 aclock.

Munday

Munday June 3^d 1706

present

J^{N^o} *LIGHTFOOT, Rob^t Carter Esq^{rs}, Ja Blair Com^{ry}, Philip Ludwell Esq^r*

A meffage from the Burgeffes to y^e Council by M^r Miles Cary and others, that the Burgeffes have paffed a bill Entituled *an Act for restraining and punishing of Pirates and Sea Robbers*, and a bill Entituled *an Act appointing a Treafurer* and defire the Councils concurrence thereto.

Edmund Jenings Esq^r present

A Bill Entituled *an Act for fettling the dividing Lines between the Countys of Prince George, Surry, Isle of Wight and Nanfemond on y^e Southfide Blackwater fwamp* read the second time and amended and Ordered a 3^d reading.

A bill Entituled *an Act for Naturalizacon* read the second time & Ordered a third reading.

A bill Entituled *an Act confirming the Naturalization of Jofhua Mulder & others* read the 2^d time and ordered a third reading.

A bill Entituled *an Act to prevent Indians hunting and ranging upon patented Lands* read y^e second time & amended & Ordered a third reading.

A bill Entituled *an Act for enlarging the power of the Sherif attending y^e Gen^l Court* read y^e 2^d time and amended and Ordered a 3^d reading

A bill Entituled *an Act to prevent ships failing in contempt of Embargos* read the 2^d time and ordered a third reading.

A Bill Entituled *an Act making the ffrench Refugees inhabiting at y^e Manakin town and the parts adjacent a diftinct parish by themselves, and exempting them from the payment of publick and County Levys untill the 25th day of December 1708*, Read y^e second time and ordered a third Reading.

A Bill Entituled *an Act laying an Impofition upon skins & furs for the better Support of the College of William and Mary in Virginia* read the 2^d time, and ordered a third reading.

A bill Entituled *an Act declaring the negro, Mulatto, and Indian Slaves within this Dominion to be real Eftate*, Read y^e second time, and ordered a third reading.

And then y^e Council adjourn'd till to morrow morning 8 aclock.

Tuesday June y^e 4th 1706

present

E^{D^{MD}} *JENINGS, Jn^o Lightfoot, Rob^t Carter Esq^{rs}, James Blair Com^{ry} and Philip Ludwell Esq^r*

A bill Entituled *an Act for fettling the dividing Lines between the Countys of prince George Surry Isle of Wight and Nanfemond on y^e fouth fide Blackwater fwamp* read the third time with y^e amendm^{ts}

Refolved

That y^e bill with y^e amendm^{ts} do pafs

A bill Ent^d *an Act to prevent Indians hunting and ranging upon patented Lands* read y^e third time with the amendments

Refolved

That y^e bill with y^e amendments do pafs

A bill Entituled *an Act for enlarging the power of the Sherifs attending y^e Gen^l Court* Read y^e third time with y^e amendments

Refolved

That y^e bill with y^e amendm^{ts} do pafs.

A bill Entituled *an Act declaring the Negro, Mulatto & Indian Slaves within this Dominion to be real Eftate* read y^e third time with y^e amendm^{ts}

Refolved

That the bill with y^e amendments do pafs

Ordered

Ordered

That y^e Clerk of the General Affembly carry the faid four bills to y^e house of Burgeffes and acquaint them that y^e Council have agreed thereto with feveral amendm^{ts} to w^{ch} they desire the concurrence of that house.

A bill Ent^d *an Act for Naturalizaçon* read y^e 3^d time & pass'd w^{thout} amendm^t

A bill Entituled *an Act confirming the Naturalization of Joshua Mulder and others* read the third time and pass'd without amendm^t

A bill Entituled *an Act to prevent Ships sailing in contempt of Embargos* read the third time and pass'd without amendment.

A bill Entituled *an Act making the French Refugees inhabiting at the Manakin Town and parts adjacent a distinct parish by themselves & exempting them from the payment of publick and County Levys untill the 25th day of Decem^r 1708* read the third time and pass'd without amendm^t

A bill Entituled *an Act laying an Imposition upon Skins & furs for y^e better Support of the College of William & Mary in Virginia* read the third time and pass'd without amendment.

Ordered

That the Clerk of the Gen^l Affembly carry the faid Bills to y^e house of Burgeffes and acquaint them that y^e Council have pass'd y^e same without any amendm^t

A message from the Burgeffes to the Council by M^r Edwards & others who brought back the Bills Ent^d *an Act for settling y^e dividing Lines between the Countys of Prince George, Surry, Isle of Wight and Nansemond on y^e Southside Blackwater swamp*, and acquainted their Hon^{rs} that y^e house had agreed to their amendm^{ts} to y^e same and had insert'd them therein

And y^e f^d bill being Examined

Ordered, that y^e Clk of y^e Gen^l Affembly carry y^e same to y^e house of Burg^s and acquaint them that y^e Council have pass'd it as amended

A bill Entituled *an Act for the more effectual Suppression of Vice and restraint and punishment of blasphemous wicked & dissolute persons* read y^e 2^d time and Committed for amendments.

And then y^e Council adjourned till to morrow morning 7 a'clock.

Wednesday June the 5th 1706

present

EDMUND JENINGS, John Lightfoot, Robert Carter Esq^r, James Blair Com^{ry} and Philip Ludwell Esq^r

The Council having taken into consideration the amendm^{ts} made by them to the Bill Entituled *an Act concerning y^e Church Clergy and other parochial affairs* w^{ch} have been disagreed to by the Burgeffes.

Resolved

That a free Conference be desired with the Burgeffes, at one a'clock this afternoon in the Conference Room on y^e Subject matter of the amendments to the Bill Entituled *an Act concerning the Church Clergy and other parochial affairs*, and managers were appointed accordingly viz

Edmund Jenings, Robert Carter Esq^r, M^r Com^{ry} Blair & Philip Ludwell Esq^r

Ordered

That y^e Clk of the General Affembly go to y^e house of Burgeffes and acq^t that y^e Council desire a free Conference with the Burg^s at one a'clock this afternoon in y^e Conference Room, on the Subject of the amendm^{ts} to the Bill Entituled *an Act concerning the Church Clergy and other parochial affairs*, and that y^e Council have appointed four of their members to manage the faid Conference with such a number of Burgeffes as the house shal think fitt.

A meffage from the Burgeffes to y^e Council by M^r Robert Beverley and others who brought a bill Entituled *an Act for raifing a publick Revenue for the better Support of the Government of this her Matys Colony & Dominion of Virginia and for afcertaining the Sallary of the Council*, and a Bill Ent^d *an Act continuing y^e act directing y^e building the Capitol and y^e City of Williamfburgh* with additions to w^{ch} they defire the Councils concurrence

A meffage from the Burgeffes to y^e Council by M^r Miles Cary and others that according to their Hon^{rs} defire the houle of Burgeffes agreed to the free Conference on y^e Subject matter of the amendments propofed to the Bill Entituled *an Act concerning the Church Clergy and other parochial affairs* and appointed managers to meet at time and place propofed.

A bill Entituled *an Act appointing a Treasurer* read y^e 2^d time and Ordered a third reading

A bill Entituled *an Act for restraining and punishing pirates & Sea Robbers* read y^e Second time, and ordered a third reading.

And then y^e Council adjourned during pleafure in order to attend the free Conference

WHICH being ended &

The Council mett again

M^r Secretary Jenings Reported the free Conference with the Burgeffes on the Bill concerning the Church Clergy and other parochial affairs *viz*

That the faid Conference was begun by the Managers for the Council who after having acquainted the Burgeffes how defirous they were of preferving a good correffpondence with that Houfe, and more efpecially that a Bill of this confequence for the good of the Church might not prove abortive, they had defired this Conference in order to fatisfy the Burgeffes of the expediency and reafonablenefs of the amendm^{ts} propofed by them.

That the firft point infifted on was the Councils amendments concerning y^e Election of new and Sexennial Veftrys, That the Council adhered to this amendm^t becaufe they were of opinion, that the immediate diffolution of all Veftrys, and appointing New Elections & fo continually every fix years (as propofed in the Bill) Would be attended with many inconveniencys and evil confequences. That it would occafion partys and ffactions throughout all the parifhes in y^e Country, and lay a foundation for renewing fuch broils and ffactions every 6th year, when there muft be new Canvafling for Elections. That thefe Elections being to be made by all the ffreeholders and houfekeepers promifcuoufly, the greater part of w^{ch} are mean people, and not always the moft confiderate, they will be like enough to carry the Election in favour of fuch as themfelves. That there are not wanting, inftances of the like proceedings, as namely in S^t peters parifh in *New Kent* upon its being divided and a New Veftry chofen, the meaner fort of people agreed among themfelves that they would not elect any to be a Veftry man that had been a Juftice of the peace, and accordingly they did exclude all the Juftices who had been formerly of that Veftry. That the alteraçon of an eftablifhed Conftitution where y^e fame is not generally complained of, is dangerous & y^e confequences cannot be forefeen That the Council think they have propofed a good Expedient in their amendm^{ts} *viz* that where any Veftry have been unduly chofen heretofore, or where they have raifed exorbitant Levys on y^e parifh, or combined to Levy any tobacco, and fraudulently difpofed of or mifapplied it, upon proof made in any of thefe Cafes Such Veftrys to be diffolved & a New one elected, and if the Burgeffes can think of any other Cafes where the irregularitys of a Veftry cannot be redreffed otherwife than by diffolution & a New Election, the Council are ready to acquiefce thereto.

The Managers for the Burgeffes answered to this effect. That there having been Complaints of the irregular and unwarrantable actings of diverfe Veftrys and their raifing exorbitant Levys on their parifhes, there was no other way to redrefs thofe
Grievances

Grievances and to give a General Satisfaction to y^e Country but by diffolving all y^e Veftrys and allowing the people to right themselves by making a New choice, nor was there any other way to prevent Veftrys being filled with perfons allyed in kindred, but by renewing thofe Elections every 6th year. That being now upon compofing a Body of Laws for the Country, they think it is very proper for them to alter any Conftitution that hath been found inconvenient. That there is no reason to doubt but that the people will ftill choofe the beft men in the parifh to be their Veftry men, nor that they will exclude any Veftryman who has formerly behaved himfelf as he ought, and as to the particular inftance given by the Council it was not becaufe the Gentlemen were Juftices of peace that they were excluded but becaufe they had acted to the diffatisfaction of the parifh when they were before in the Veftry. That the Burgeffes conceive that what is propofed by y^e Council as an Expedient will have far worfe confequences than what is propofed in y^e Bill for that it is impoffible now to make appear whether a Veftry was at firft legally chofen or not. That in many cafes a Veftry may do feveral irregular Acts and yet the people be rather willing to fitt Contented under that preffure than be at y^e expence and charge of a profecution, that tho there are inftances of the irregular proceedings of Veftrys, yet no profecution has ever followed thereon, Nor perhaps ever will be, becaufe fuch Complaints muft be made & profecuted by private men, who will be very unwilling to be at y^e expence thats neceffary in fuch Cafes, or to hazard their quiet by drawing on them the odium of fuch a confiderable Body of men as a Veftry, and fo the hardfhips intended to be remedied by this act will ftill remain.

To this the Managers for the Council Replyed that the private Complts ag^t fome Veftrys, tho allowed to be juft, can never be faid to be a fufficient ground to diffolve thofe Veftrys where no fuch Compl^{ts} have ever been made. That the prefent Conftitution of the Veftrys is agreeable to y^e Laws and Cuftoms of *England* and of all the plantations where the Church of *England* is eftablifhed but y^e w^{ch} is propofed in the Bill is unprecedented. That wherever a Conftitution is eftablifhed by Law and has continued for fo many years as this hath, the prefumption will always ftand in favour of it, and it is abundantly more fafe to continue it, than to introduce a New method of w^{ch} the confequences appear to the tranquility of the Country. That y^e fingle inftance given of that unaccountable humor wherewith the Election of the Veftry of S^t *peters* parifh was managed, is enough to fhew how far that and fuch like popular Arguments may prevail with a Mobb and unthinking multitude when managed by turbulent and defigning men. That Sexennial Elections will always give occafion of new partys and Intrigues to the conftant difturbance of the parifh, and afford opportunity for bufy men to ftir up the Common people to exclude all the men of Note & Eftates out of the Veftrys, who are certainly lefs lyable to y^e Sufpition of levying exorbitant Levys on the parifh than others of meaner circumftances in as much as they pay the greateft fhare thereof in proportion to the number of their Tithables in w^{ch} moft Gentlemens Eftates confift. That there are now the beft Gentlemen of the Country in the Veftrys and the Council cannot Suppofe that y^e Burgeffes intend to turn them out to make way for the meaner fort to get into y^e managem^t of the parifhes. That y^e Council think it hard and not agreeable to Juftice that for the faults of a few men all the Veftrys in the Country fhould Suffer & y^e Country run into lafting Confufions, when all y^e inconveniencys propofed to be remedied by it, may be more eafily effected by what they have already propofed, and if that be not Sufficient, by taking in any other Cafes that have appeared burdensome to y^e people. That as to y^e objection that it cannot now be made appear whether Veftrys were legally elected at firft or not, It muft be taken for granted that they were unlefs the contrary be proved. And As to y^e difficulty of profecution by private men, the fame Argument may be ufed ag^t all profecutions on penal Laws becaufe private men muft become Informers.

The Managers for the Council infifted on their amendment for adding Cask to the Minifters Sallary as a reafonable allowance, and urged that y^e beft way to procure a good Clergy was to fettle fuch an allowance on them by Law, as may encourage good men to come hither.

To this the Managers for the Burgeffes answered that y^e Council might as well have asked 1280^{li} of tobacco to be added to y^e Ministers salary, w^{ch} they saw no reason to grant the present Salary being a Sufficient encouragement for any Clergy man.

The Managers for the Council Replied that as the present Salary is paid the 16000 pounds of tobacco is not really above 14000 after the Deduction of 8 ³/₄ Cent for Cask and the allowance w^{ch} the Minister must give (over and above what is allowed by law for having his tobacco collected and paid convenient, and while others who purchase tobacco pay but 30^{li} of tobacco for the cask, the Min^r is obliged to pay 48. That it is but reasonable that y^e Salary should be 16000 without any deduction, especially considering that in many parishes the value of tobacco is so inconsiderable, that the Salary is scarce Sufficient for y^e Ministers Subsistence.

To w^{ch} the Managers for the Burgeffes rejoined that y^e Minister pays no more for Cask than is allowed by Law for other publick tobacco. That y^e Clergy never had any greater Salary than is now allowed, and for many years not so great. That wherever a Clergyman is frugal, he never fails of making a handsome Estate out of his Salary, and that they see no reason to augment y^e Salary, That even in the worst of those parishes where tobacco is so mean, the Minister is in equal circumstances with the parish, and he can as well Subsist on his tobacco as the parishoners can do on theirs, and that besides the Min^r has the advantage of improving his Glebe and raising Stock for the maintenance of his family.

It was then proposed by the Council to add a proviso to y^e Bill to enable any Vestry who had a desire to gratify a good Minister to allow Cask with y^e Salary but it was rejected by the Burgeffes.

The Council insisted on their amendm^t, that if any Vestry shal sell any Glebe they shal be obliged to purchase a better in stead thereof, and said that they believed y^e Burgeffes could never intend to give a Vestry power to sell or change a good Glebe for a worse and that y^e Councils amendm^t being only intended to prevent the arbitrary proceedings of Vestrys in this particular they hop'd the Burgeffes would easily agree to it.

The managers for the Burgeffes said that it was never intended to give power to a Vestry to Sell a good Glebe and purchase a worse, but they thought, the words (more convenient) mentioned in the Bill was sufficient without any further addition, and that they should agree so far that y^e Vestrys be obliged to lay out y^e full price of the old Glebe at least in y^e purchase of a New.

The Managers for the Council insisted on the Clause in their amendments for the better settlement of the Clergy, and observed that the precarious circumstances of the Clergy is a great discouragement to any one to come in hither. That the first part of the Clause was to prevent the ill practices of sev^l Vestrys who keep their parishes vacant at their pleasure and take no care to procure Ministers, that by this it is provided that if y^e Vestry do not Supply the parish with a Minister within 2 years after its becoming vacant, the Gov^r may place a Min^r in that parish &c. And then provision is made that after a Min^r is once in a parish, if he continues therein for two years without any fault or offence, he shal not thereafter be removed (as some formerly had been at y^e pleasure of the Vestry) without a legal Trial

To this the Managers for the Burgeffes said that before they entered upon the debate of this Clause they must promise that this and y^e Subsequent Amendment concerning the Trial of the Clergy had such a dependance on one another that they could not agree to y^e one without agreeing to the other, That both have a tendency to bring in, Inductions and an Ecclesiastical Court to w^{ch} they can never give their consent. That its impossible to be supplied with Ministers in so short a time as two years, since they must come from *England*. That there is not any Minister in *Virginia* nor ever has been but what hath been always entertained as soon as he came in, And that all the parishes that are now vacant would be very desirous of Ministers if they could be Supplied with them, and that the Vestrys generally make application to the Gov^r to Supply them with Ministers, when they hear there is Any in y^e Country not engaged.

That

That y^e present Law doth sufficiently provide for Induction if the Veftry think fitt to present their Miniſter, but there's no reaſon that their Liberty of choice ſhould be taken away, if they can't provide themſelves with a Miniſter in two years. That there are many Miniſters in the Country who continued long in their pariſhes without Induction, & no inſtance can be given of any good man that ever has been turn'd out purely at the pleaſure of the Veftry, and that if what is propoſed by the Council were granted, the Clergy would be much more precarious than ever, for no pariſh would keep a Miniſter above two years for fear of being obliged to induct him. That tho a Clergyman be not guilty of ſwearing, Drunkennels or y^e other offences puniſhable by this act, yet he may be a man very ill qualified for his function, Negligent of his duty, covetous, a Whiſperer a Slanderer or guilty of ſeveral other indecencys that may give juſt offence to his pariſh-ners and yet they ſhal not be relieved if this Amendment of the Councils be conceded. And as for the Trial of the offences of the Clergy, the General Court is the moſt proper place.

To this the Managers for the Council Replyed, that tis true the Arguing of one part of this amendment will inſenſibly draw into debate the other parts of this & the Subſequent amendm^t, but if all be duly conſidered there's nothing in either but whats calculated for the advantage of the Country. That it is in y^e power of any pariſh upon Suitable encouragement to procure a Miniſter from *England*, but if they never endeavour it, it is but reaſonable that there ſhould be a power lodged in the Gov^r to Supply ſuch vaccancys; and it is as reaſonable that when a Clergyman has tranſported himſelf and his family hither, & hath behaved himſelf well in his pariſh he ſhould be at a certainty and not left to the mercy of his Veftry to turn him and his family a Starving at their pleaſure. That as y^e Caſe now ſtands Veftrys may keep their pariſhes vaccant as long as they pleaſe, w^{ch} is very unreaſonable. That y^e method of Settlement of the Clergy now propoſed by the Council is ſuch as is moſt agreeable to the preſent Circumſtances of the Country, and w^{ch} they hope her Majeſty out of regard to our circumſtances will be graciously pleaſed to approve of. That by the Laws of *England*, if the patron (w^{ch} in this Country is y^e Veftry) doth not preſent in 6 moneths after the pariſh becomes Vaccant, the Right of preſentaçon *jure devoluto* falls to the Queen, and her Ma^{ty}s Gov^r here may induct a Miniſter into ſuch pariſh without y^e Veftrys conſent, and this hath been y^e opinion of her Matys Attorney Gen^l as the Burgeſſes may very well remember, that as this is a growing Country it muſt be expected that many more Clergymen will come in hereafter, and then it will perhaps be thought neceſſary that her Majeſty put in practice her Right of Induction, of w^{ch} her Ma^{ty} can never be divested otherwiſe than by her own Conceſſion by paſſing a Law here for that purpoſe, and if this Right ſhould ever be diſputed, it muſt be determined in her Majeſtys favour notwithstanding any thing in this Bill as the Burgeſſes have paſſed it, That therefore when y^e Affembly have it in their power to obtain a more eaſie way of ſettling y^e Clergy than the Laws of *England* admitt of, and that there is great ground to hope that this may be accepted in lieu of the more Severe method of Induction upon a Lapſe, it would be very unaccountable if the Affembly ſhould let ſlip ſo farr an opportunity of ſecuring to their poſterity ſo conſiderable a privilege both in reſpect to the time of providing a Miniſter, and the experience of his Capacity and good life before his Being entirely ſettled. That the Clergys holding their livings ſo precariouſly heretofore has been one great reaſon why this Country is ſo ill Supplied with Miniſters That there are not wanting ſeveral inſtances of Miniſters being turned out at y^e pleaſure of their Veftrys without ſhowing any cauſe, and tho ſome have had y^e good fortune to continue in their pariſhes for many years, Yet while a Miniſter has no Such aſſurance of his continuance, it muſt be a great diſcouragem^t, That if for any of the offences Specified by the Burgeſſes (whereof ſome are entirely ſins of thought, & known only to God Almighty) a Clergyman muſt be turned out of his pariſh, the beſt man alive can never be ſecure, for it is morally impoſſible to find men altogether free from ſome of thoſe faults. That as to the Trial of the Clergy, the Eccleſiaſtical Jurisdiction of the Biſhop of *London* extending to all the plantaçons, there is a power Veſted in him and by him devolved on his Com^{ty} to try & determine

all offences of the Clergy without appeal to any Court of Judicature here, So that if a Complaint be exhibited ag^t any Minister, if either the Minister or the Complainants find themselves aggrieved by the Com^{rs} sentence they have no way to obtain Redress but by appeal to y^e Bishops Court and if not redressed there to the Archbishops Court. That as this manner of trial in Ecclesiastical matters has y^e countenance of the Laws of *England*, and the Sanction of her Majestys Instructions for encouraging it here, it is not to be supposed that ever it will be totally given up, And it cannot but be reckoned a considerable point yielded that the Trial in such matters are now proposed to be settled jointly in y^e Com^{rs} & three of y^e Clergy & the County Courts (where the Laity will always be the Major part) & according to y^e course of the common Law, and that there is also a liberty of Appealing to the Gen^l Court for the final determination of such Compts.

That thereupon the Managers for the Burgeffes said, that they could not agree to any other manner of Induction than what was proposed in the Bill, and that they had rather trust to her Maj^{ties} Clemency As to the putting her Right of Induction in execution than to bind themselves by a Law of their own making.

The Managers for the Council insisted on their amendment for obliging Churchwardens to take an Oath and hoped the Burgeffes would allow it to be necessary, and that it is agreeable to the constant practice in other Cases, that in all offices of the like Nature, the officers are bound by Oath to the due execution thereof. That the Churchwardens in some Cases are obliged to present offenders, and so ought to be upon Oath as well as the Grand Jury, and that without such Oath they cannot make such presentations unless they were particularly impowered by the Bill so to do.

To this the Managers for the Burgeffes answered that there was no need of such an Oath, every Churchwarden being under an Oath as a Vestryman, and if the Law has allowed them to execute the Office of Churchwardens without Oath, they are also enabled to make presentm^{ts} that being within their office. That if Churchwardens were obliged to present upon Oath, no man would undertake that Office, since he must be obliged to rake into the faults, and conversations of all the parish for the whole time of his continuance in Office, and even the Grand Jurys are not obliged to present any other offences than such as come to their knowledge during the time of their being such w^{ch} is only for one Court.

The Managers for the Council insisted on the last proviso added by them to the Bill, for Saving and confirming all bargains heretofore made between any parishes and Inducted Ministers, tho the Sallary be more than this Law allows. and Said that the Law ought not to look back nor could they believe the Burgeffes ever intended by it to put any Clergyman in a worse condition as to his sallary than he was before. That where Vestrys have agreed with a Minister in consideration of his Settling among them to give him somewhat above the ordinary Sallary It was but just that the same allowance should be continued to him, w^{ch} first encouraged him to settle himself in that parish.

To which the Managers for the Burgeffes answered, that they know of no such Agreements except one with M^r *Anderson* in *Westopher* parish w^{ch} was at first made by the Vestry contrary to Law, and was always reckoned burdensome to the people. And one of the Managers said he knew of another agreement of the like nature

To this the Managers for the Council Replied that tho they do not know of any other Agreement but what the Burgeffes have mentioned, yet it is possible there may be others. That as to M^r *Andersons* particular Case, the Agreement made with him was not against Law as is alledged but is agreeable to the Law then in being: for by that Law a Minister being allowed 80^{li} p^{a} annum to be paid in Tobacco, or other Country Commodities or bills of Exchange, if the common price of *Aronoco* tobacco be computed at Eight shillings a hundred, Eighty pounds p^{a} annum amounts just to 20,000 p^{ds} of tobacco & no more w^{ch} is M^r *Andersons* Sallary—And when y^e last Law for settling the maintenance of the Clergy was passed there was so great a regard had to that and such other Contracts, that the Burgeffes having in the Bill ascertained the Ministers Sallary at

16000 pounds of tobacco and no more, The Council struck out the words [and no more]* and the Burgeffes agreed to it, that it might be in the power of Vestrys to encourage and recompence good men. That Mr *Anderson* is a person of that probity that even his Enemys cannot alledge any thing against him either in his life or Doctrine, and therefore the Council think it would look very unlike encouraging the Clergy if any allowance at first given by Law and since continued for many years pursuant to agreement should be now taken away from him, or any other in the like Circumstances. That y^e Managers for y^e Council acquiesced the Burg^s that they hoped the Burg^s would agree to y^e amendm^{ts} proposed & that they had left the Bill with them.

A message from the Burgeffes to the Council by Mr *Peter Beverley* and others who brought the Bill Entituled *an Act concerning y^e granting, Seating and planting, and for Settling the titles and bounds of lands, and for preventing unlawful shooting & ranging thereupon*, and acquainted them that y^e house had agreed to all their Hon^{rs} amendments made to y^e said Bill and had inserted them therein

And y^e said bill being Examined with y^e amendm^{ts}

Ordered

That y^e Clerk of the General Assembly carry back y^e said Bill to the Burg^s and acquaint them that y^e Council have passed y^e same as amended.

And then y^e Council adjourn'd till to morrow morning 7 a'clock.

Thursday June y^e 6th 1706

present

EDM^D JENINGS, John Lightfoot, Rob^t Carter Esq^{rs}, James Blair Com^{rs} and Philip Ludwell Esq^r

A bill Entituled *an Act continuing the Act directing the building the Capitol & the City of Williamsburgh with additions* read the first time, and Ordered a second reading.

A bill Entituled *an Act appointing a Treasurer* read the third time & passed without amendm^t

Ordered

That y^e Clerk of the Gen^l Assembly carry the said Bill to the house of Burgeffes & acquaint them that y^e Council have passed y^e same without amendm^{ts}

His Excellency present

A message to his Excellency from the Burgeffes by Mr *Rob^t Beverley* and others who delivered to his Excell^{cy} the following answer to his Ex^{cy}s message concerning the fortifying of places for the defence of the Trade.

May it please Your Excellency

We receive the greatest [See J. of H. of B., p. 214.]

To which his Excell^{cy} was pleased to answer that he would represent it with all y^e interest he had, and any thing else for the good of the Country.

A message from the Burgeffes to y^e Council by Mr *Peter Beverley* & others desiring a free Conference with the Council on y^e Subject matter of the last free conference upon their amendments to y^e Bill Entituled *an Act concerning y^e Church Clergy and other parochial affairs*.

Resolved

That a free Conference be agreed to immediatly. and that Jn^s Lightfoot Esq^r be one of the Conferrees in y^e room of Philip Ludwell Esq^r now absent.

Ordered

That the Clerk of the General Assembly go to the house of Burgeffes and acquaint them that the Council agree to the free Conference desired by that house on the Subject

* The brackets are in the original.

matter of the laft free Conference on y^e amendments to the bill Entituled *an A^ct concerning the Church Clergy and other parochial affairs*, and appoint y^e fame immediatly in the Conference Room.

And y^e managers went to the Conference, and being Returned M^r Sec^{ry} *Jenings* Reported that the Managers for the Burgeffes had delivered the Bill Entituled *an A^ct concerning the Church Clergy and other parochial affairs*, and acquainted them that the Burgeffes do not infist upon their difagreeing to the 12th, 13th, 14th, 15th & 20th amendments propofed by the Council but do agree that y^e fame be made in the Bill, and that to all y^e other amendments propofed by the Council and not agreed to, the Burg^s do infist upon their difagreeing therewith.

Ordered

That the faid Bill and amendm^{ts} ly upon the Table, and that y^e f^d Report be confidered in a fuller Council.

A bill Entituled *an A^ct for the effectual Suppreffion of Vice & restraint and punifhment of blafphemous wicked and diffolute perfons* read y^e third time with y^e amendments

Refolved

That the Bill with y^e amendments do pafs.

A bill Entituled *an A^ct for prevention of mifunderftandings between the Tributary Indians and other her Majeftys Subjects of this Colony & Dominion, and for a free & open trade with all Indians whatfoever*, read the fecond time, and Committed for amendments.

A bill Entituled *an A^ct for raifing a publick Revenue for the better fupport of the Government of this her Maj^{ties} Colony & Dominion of Virginia and for afcertaining the Sallary of the Council* read the firft time, and ordered a Second reading.

And then y^e Council adjourned till to morrow morning 7 aclock.

Friday June 7th 1706

prefent

EDMUND JENINGS, Jn^o Lightfoot, Benj^a Harrifon, Rob^t Carter Efq^r, James Blair Com^{ry}, Philip Ludwell Efq^r

A Bill Entituled *an A^ct for prevention of mifunderftandings between the Tributary Indians and other her Majeftys Subjects of this Colony and Dominion & for a free and open trade with all Indians whatfoever* read y^e 3^d time with y^e amendments.

Refolved

That y^e bill with y^e amendments do pafs.

Ordered

That the Clerk of the General Affembly carry the faid bill to the houfe of Burgeffes, and acquaint them that y^e Council have paffed y^e fame with feveral amendments to w^{ch} they defire y^e concurrence of that houfe.

A motion being made that the Bill Entituled *an A^ct for reftraining and punifhing of Pirates and Sea Robbers*, be read a third time.

Refolved

That y^e a^ct of parliament made in the 11th & 12th years of the Reign of his late Ma^{ty} King William Entituled *an A^ct for the more effectual Suppreffion of piracy* hath fufficiently provided for the trial of pirates in all the plantacons, And therefore

Ordered

That the Bill fent up from the Burgeffes for reftraining & punifhing of Pirates and Sea Robbers be difagreed to

A bill Entituled *an A^ct continuing the A^ct directing the building of the Capitol and the City of Williamsburgh with additions*, read y^e 2^d time & Committed for amendments.

A meffage from the Burgeffes to y^e Council by M^r Daniel Maccarty & others who brought the following bills viz a bill Entituled *an A^ct for fecurity and defence of the Country in times of danger*. A bill Entituled *an A^ct for removing Criminals from the Gaols of the Countys where they fhall be apprehended to the publick Gaol at W^mburgh*, and

a bill Ent^d *an Act to explain part of an Act of this present Session of Assembly Entitled an Act directing the manner of Levying executions and for relief of poor prisoners for debt, to w^{ch} they desire the concurrence of the Council.*

And the said three Bills were read the first time and ordered a 2^d Reading.

A message from the Burgeffes to the Council by M^r Miles Cary and others who brought the Book of Claims together with an order for the payment of several allowances in money passed by the house to w^{ch} they desire the Councils concurrence.

Resolved

That a free Conference be desired with the Burgeffes to morrow morning at 10 a'clock on y^e Subject matter of the amendments to the Bill Entitled *an Act for settling the Militia*

Ordered

That the Clerk of the General Assembly go to the house of Burgeffes, & acquaint them that the Council desire a free Conference with them to morrow morning at 10 a'clock in the Conference room on y^e Subject matter of their amendments to the Bill Ent^d *an Act for settling the Militia*, and have appointed three of their members to manage the 1st Conference with such a number of Burgeffes as that house shal think fitt.

A message to the Council from the Burg^s by M^r Rob^t Beverley & others that the House agreed to the Conference desired by their Hon^{rs} on y^e Subject matter of the amendments to the bill Ent^d *an Act for settling the Militia*, and that their Managers will be ready at time and place appointed

And then y^e Council adjourn'd till to morrow morning 8 a'clock.

Saturday June 8th 1706

present

EDM^d JENINGS, John Lightfoot, Benj^a Harrison, Rob^t Carter Esq^{rs}, James Blair Com^{rs}, Philip Ludwell Esq^r

Ordered

That Edmund Jenings, John Lightfoot, and Philip Ludwell Esq^{rs} be appointed Managers of the Conference with the Burgeffes on y^e amendments to the Bill Entitled *an Act for Settling the Militia*

A message from the Burgeffes to the Council by M^r Robert Beverley and others who brought several Resolves to w^{ch} they desire the Councils concurrence. And the said Resolves were Read & agreed to & are as follows

Resolved

That the Queens Arms be painted upon the front of the Cupulo of y^e Capitol.

Resolved

That the Queens Arms be painted in y^e same place where Coll^o Nicholsons arms are now painted.

Ordered

That M^r Henry Cary take care that the Queens arms be painted on the Cupulo according to the Resolves of this House.

Jn^o Lightfoot Esq^r absent

M^r Sec^{ry} Jenings from the free Conference with the Burgeffes on the amendments to the Bill Entitled *an Act for settling the Militia* Reported that they had mett the Burgeffes and acquainted with their reasons for insifting on their amendments to the said bill and had left the bill with them.

A bill Entitled *an Act for raising a publick Revenue for the better Support of the Government of this her Majestys Colony & Dominion of Virginia and for ascertaining y^e Sallary of the Council* read y^e second time and Committed for amendments.

A message from the Council to the Burgeffes by M^r Robert Beverley & others that the house desire a free Conference with y^e Council on y^e Subject matter of the last free Conference on the amendm^{ts} to y^e bill Entitled *an Act for Settling y^e Militia*.

Ordered

That the Clerk of the General Assembly go to y^e house of Burgeffes and acquaint them that the Council agree to the free Conference desired by the house on y^e Subject matter

matter of the laft free Conference on y^e amendments to y^e bill Ent^d *an A^t for fettling y^e Militia* and appoint y^e fame on *Munday* next at two aclock in y^e afternoon.

A bill Entituled *an A^t for security and defence of the Country in times of danger* read the Second time and Committed for amendments.

A Bill Entituled *an A^t to explain part of an A^t of this present Seffion of Assembly* Entituled an a^t directing the manner of Levying Executions and for relief of poor prifoners for debt read y^e fecond time and ordered a third reading

A bill Entituled *an A^t for removing Criminals from the Gaols of the Countys where they fhall be apprehended to the publick Gaol at Williamsburgh* read y^e fecond time, and ordered a third reading

And then y^e Council adjourn'd till *Munday* morning 10 aclock

Munday June 10th 1706

present

EDM^d JENINGS, *Dudley Digges, Benj^a Harrifon, Rob^t Carter Efqr^s, M^r Com^{rs} Blair, Philip Ludwell Efqr*

A bill Entituled *an A^t for removing Criminals from the Gaols of the Countys where they fhall be apprehended to the publick Gaol at Williamsburgh* read the 3^d time and paffed without amendment.

A bill Entituled *an A^t to explain part of an A^t of this present Seffion of Assembly* Entituled an A^t directing the manner of Levying Executions and for relief of poor prifoners for debt read y^e third time and paffed without amendm^t

Ordered

That the Clerk of the General Affembly carry the faid Bills to y^e houfe of Burgeffes and acquaint them that y^e Council have paffed y^e fame without amendment.

A meffage from the houfe of Burgeffes to the Council by M^r Rob^t Beverley and others who brought the following Bills *viz* a bill Entituled *an A^t for eftablifhing ports and Towns*. A bill Ent^d *an A^t for repealing an A^t of Affembly begun at James City June 8th 1680* Entituled an A^t of free & General pardon, Indemnity and oblivion, and *an A^t for continuing Gen^l Affemblys in cafe of the death or Demife of her Majesty her heirs or Succelfors, and for making valid all a^{ts} of the Governor and Council and all Judgements and proceedings at Law w^{ch} fhall happen between the death of any King or Queen of England, and the Notification thereof in this Country, to w^{ch} they defire the Councils concurrence.*

Jn^o Lightfoot Efqr present

And the faid three bills were read y^e firft time, and ordered a fecond reading.

A meffage from the Burgeffes to the Council by M^r Peter Beverley and others who brought the Bill Entituled *an A^t for the effectual Suppreffion of Vice, and restraint and punifhment of blafphemous wicked & diffolute perfons*, and acquainted the Council that the Burgeffes had agreed to part of their Hon^{rs} amendments, and to part they could not agree, and defire the Council to pafs y^e bill as y^e Burgeffes have agreed to it. And alfo brought the bill Entituled *an A^t for prevention of mifunderftandings between the Tributary Indians and other her Matys Subjects of this Colony and Dominion, and for a free and open trade with all Indians whatfoever*, and acquainted the Council that the Burgeffes had agreed to all their Hon^{rs} amendments with fome amendments of their own, to w^{ch} they defire the Councils concurrence.

M^r Sec^{ry} Jenings from the free Conference with the Burgeffes on y^e Subject matter of the laft free Conference upon their amendments to the bill Entituled *an A^t for fettling the Militia*, Reported that they had mett y^e Managers for the Burgeffes who acquainted them that the Burgeffes infifted on their difagreeing to y^e amendm^t propofed 2^d fheet 1st page 12th line; to y^e other amendm^t propofed in the 14th line. That they infifted on their amendment to y^e Councils amendm^t propofed to be added to the 15th line of y^e fame page, and defire the Council would agree thereto, or that they would propofe fuch further amendm^{ts} as they think Reafonable. That they did not infift on their difagreeing

to

to y^e amendment propofed by the Council 2^d fheet 2^d page 2^d line. That they infifted on their difagreeing to y^e amendm^t propofed to be added in the 4th fheet 1st page, at y^e end of y^e 10th Line, but forafmuch as in the laft free Conference the Managers for the Council did acquaint y^e Managers for y^e Burgeffes that y^e 1^d Amendm^t was only propofed by them to make the foregoing paragraph of the Bill more Suitable, therefore the Burgeffes defire that y^e Council will propofe fuch amendment to y^e 1^d paragraph as they think reafonable.

Upon the Report of the free Conference with the Burgeffes upon the Subject matter of the laft free Conference on the amendments to the Bill Entituled *an Act for Settling the Militia*, the Council proceeded to the confideration thereof and the firft and 2^d amendm^{ts} propofed by the Council and difagreed unto by the Burgeffes in y^e 2^d fheet, 1st page 12th line, and y^e other amendment in the 14th line of y^e fame page being read, The Council agree not to infift on y^e 1^d amendments.

The amendment made by the Burgeffes to y^e amendment propofed by y^e Council to be added to y^e end of y^e 15th line of y^e fame page, being read, The Council agree thereto, with this amendment *viz* that inftead of the words [fhall be] in y^e 2^d line of the Burgeffes amendment, the word [are] be inferted, and that after the word [fuitable] to y^e end of that amendment be ftruck out, and inftead thereof the words [for Gentlemen] be inferted.

The laft amendment propofed by the Council, and difagreed to by the Burgeffes in the 4th Sheet, 1st page, at y^e end of the 10th line, being read, The Council do not infift on y^e 1^d amendment, but inftead thereof propofe that y^e following amendment be made *viz* after y^e word [fined] in y^e fame 10th line, Strike out to y^e end of that line, and in ftead thereof infert thefe words [ten pounds current money or Suffer three moneths imprifonment without Bail or Mainprize]*

Ordered

That the above Refolutions and amendments be delivered to the Burgeffes at a free Conference.

The Burgeffes amendm^{ts} upon the Councils amendments to y^e Bill Entituled *an Act for prevention of mifunderftandings between the Tributary Indians and other her Majestys Subjects of this Colony and Dominion, and for a free & open trade with all Indians whatfoever* being read, were feverally agreed to, and

Ordered

That y^e Clk of y^e Gen^l Affembly carry y^e 1^d bill to y^e houfe of Burgeffes and acquaint them of y^e Councils agreement to the amendm^{ts} propofed by them.

The amendm^{ts} propofed by the Council to the Bill Entituled *an Act for y^e effectual Suppreffion of vice and restraint and punifhment of blafphemous wicked and diffolute perfons*, to w^{ch} the Burgeffes have difagreed being read, and feverally confidered,

Resolved

That the Council do not infift on fo much of their amendm^{ts} to y^e faid bill as are difagreed unto by the Burgeffes. and

Ordered

That y^e Clerk of the General Affembly carry the faid bill and amendm^{ts} to y^e houfe of Burgeffes and acquaint them that y^e Council do not infift on y^e 1^d Amendm^t

A bill Entituled *an Act for the fecurity and defence of the Country in times of danger* Read the third time with y^e amendments

Resolved

That the Bill with y^e amendments do pafs.

A Bill Entituled *an Act continuing the Act directing the building the Capitol and the City of Williamfburgh* read the third time with y^e amendments

Resolved

That the Bill with the amendments do pafs.

Ordered

That the Clerk of the General Affembly carry the 1st two bills to the Houfe of Burgeffes and acquaint them that y^e Council have paffed y^e fame with feveral amendments to w^{ch} they defire the concurrence of that houfe.

And then y^e Council adjourned till to morrow morning 8 a'clock.

* The brackets in this and in the preceding paragraph are, of courfe, in the original.

Tuesday June 11th 1706

Present

EDMUND JENINGS, Jn^o Lightfoot, Dudley Diggs, Robert Carter Esq^r & M^r Com^{ry} Blair

A Bill Entituled *an Act for the continuing of General Affemblys in case of the death or Demise of her Majesty her heirs or Successors, & for making valid all acts of the Governor and Council, and all Judgements and proceedings at Law, w^{ch} shal happen between the death of any King or Queen of England and y^e Notification thereof in this Country*, Read y^e second time & ordered a 3^d reading.

Philip Ludwell and Henry Duke Esq^r present

A Bill Entituled *an Act for establishing y^e County Courts for regulating & settling the proceedings therein, and directing the manner of granting probates of Wills & administrations of Intestates Estates* read y^e 2^d time, and Committed for amendm^{ts} to Robert Carter Esq^r and M^r Com^{ry} Blair.

Ordered

That y^e Clerk of the Gen^l Affembly go to the house of Burgeffes & desire an immediate free Conference with them on y^e Subject matter of y^e last free Conference in relation to the amendm^{ts} to y^e bill Ent^d *an Act for settling the Militia*.

A message from the Burgeffes to the Council by M^r Rob^t Beverley & others that y^e house agreed to an immediate free Conference on y^e Subject matter of y^e last free Conference in relation to y^e bill Entituled *an Act concerning y^e Militia*, and that their Managers would be ready accordingly.

A Bill Entituled *an Act for establishing ports and Towns* read the second time, and Committed for amendments

And then y^e Council adjourned till to morrow morning 8 a'clock.

Wednesday June 12th 1706

present

HIS Excellency, Edmund Jennings, John Lightfoot, Dudley Diggs, Robert Carter Esq^r, M^r Com^{ry} Blair & Philip Ludwell Esq^r

A message to his Excellency from the house of Burgeffes by M^r Peter Beverley and others who brought the following Address

To his Excellency Edward Nott Esq^r her Maj^{ties} Liev^t and Governor General of Virginia
May it please Yo^r Excell^{cy}

We her Majestys dutiful [See J. of H. of B., pp. 220-221.]

A message to the Council by M^r Robert Beverley and others who brought the Bill Entituled *an Act for the effectual Suppression of Vice & restraint and punishment of blasphemous wicked and dissolute persons*, and the bill for prevention of misunderstandings between the Tributary Indians and other her Matys Subjects of this Dominion, and for a free & open trade with all Indians whatsoever, and acquainted the Council that the Burgeffes had inserted therein y^e amendm^{ts} agreed upon by their Hon^{rs} and that House. That the Burgeffes had inserted y^e amend^{ts} proposed to the Bill Entituled *an Act for settling y^e Militia*. and that they had agreed to y^e amendm^{ts} proposed by their Hon^{rs} to y^e bill Ent^d *an Act for y^e security and defence of the Country in times of danger*, and to y^e bill Ent^d *an Act continuing y^e Act directing the building the Capitol and the City of W^mburgh* with additions & had inserted them therein.

And the said Bills with the amendments being Examined

Ordered

That the Clerk of the Gen^l Affembly Return y^e same to the house of Burgeffes and acquaint them that y^e Council have passed them as amended.

A message from the Burgeffes to the Council by M^r Peter Beverley & others who brought the following Bills *Viz* a bill Entituled *an Act directing the building a house for the Governor of this Colony and Dominion*, a bill Entit^d *an Act for confirming titles to*
Town

Town lands, and a bill Entituled *an Act for the distribution of Intestates Estates, declaring widows rights to their dec^d husbands Estates, and for securing Orphans Estates to w^{ch} they desire the concurrence of y^e Council.*

A Bill Entituled *An Act for establishing ports and Towns* read y^e third time with the amendm^{ts}

Resolved

That the bill with the amendments do pass.

Ordered

That the Clerk of the Gen^l Assembly carry the said Bill to the house of Burgeffes, and acquaint them that y^e Council have passed y^e same with several amendm^{ts} to w^{ch} they desire the concurrence of that house.

A bill Entituled *an Act for confirming titles to Town lands*, read y^e first time and Ordered a Second reading.

A bill Entituled *an Act directing the building of a house for the Governor of this Colony & Dominion* read the first time, and ordered a second reading.

And then y^e Council adjourned till to morrow morning 8 a'clock.

Thursday June 13th 1706

present

EDM^d JENINGS, Jn^r Lightfoot, Dudley Digges Esq^r, James Blair Com^r, Philip Ludwell & Henry Duke Esq^r

A bill Entituled *an Act for the distribution of Intestates Estates declaring widows rights to their deceased husbands Estates and for securing Orphans Estates* read the first time and ordered a second reading.

Robert Carter Esq^r present

A Bill Entituled *an act for the continuing of Gen^l Assemblys in case of the death or Demise of her Majesty her heirs or Successors and for making valid all acts of the Governor and Council & all Judgements and proceedings at Law, w^{ch} shal happen between the death of any King or Queen of England and the notification thereof in this Country* Read y^e 3^d time and pass without amendment.

Ordered

That the Clerk of the General Assembly carry the said bill to the Burgeffes and acquaint them that y^e Council have passed y^e same without amendment.

A message to the Council by M^r Robert Beverley and others who brought the Bill Entituled *an Act for establishing ports and Towns*, and acquainted y^e Council that the Burgeffes had agreed to all their Hon^{rs} amendm^{ts} to y^e said bill and had inserted them accordingly.

And y^e said Bill being Exam^d

Ordered

That the Clerk of the Gen^l Assembly carry y^e same to y^e house of Burg^s and acquaint them that the Council have passed y^e same as amended.

The amendments to the Bill Entituled *an Act for establishing the County Courts, for regulating & settling the proceedings therein and directing y^e manner of granting probates of Wills and Administrations of Intestates Estates*, being reported were read, and several alterations being made therein.

Ordered

The Bill be read a third time with y^e amendm^{ts} tomorrow

And then the Council adjourn'd till to morrow morning 8 a'clock.

Friday

Friday June y^e 14th 1706

present

JOHN LIGHTFOOT, Dudley Diggs, Robert Carter Esq^r, James Blair Com^r, Philip Ludwell & Henry Duke Esq^rA bill Entituled *an Act for confirming titles to Town Lands* read y^e second time and Ordered a third reading*Edm^d Jenings Esq^r present*A bill Entituled *an Act directing the building a house for the Governor of this Dominion* read the second time and amended, and ordered a third reading.A bill Entituled *an Act for establishing the County Courts, for regulating and settling the proceedings therein, and directing the manner of granting probates of Wills and administrations of Intestates Estates* Read y^e third time with y^e amendments,*Resolved*That y^e bill with y^e amendments do pass.*Ordered*That the Clerk of the Gen^l Assembly carry the said bill to the house of Burg^s and acquaint them that y^e Council have passed y^e same with sev^l amendm^{ts} to w^{ch} they desire the concurrence of that house.A message from the Burgeesses to y^e Council by M^r Geddes and others who bro^t a bill Entituled *an Act for preventing frauds in the Customs & in clearing of ships, for ascertaining Collectors and Naval Officers fees, and to prohibite and prevent the casting of ballast and dead bodys into Rivers and Creeks* to w^{ch} they desire the concurrence of the Council.

And the said bill was read the first time and Ordered a Second reading.

A bill Entituled *an Act for the distribution of Intestates Estates, declaring widows rights to their deceased husbands Estates & for Securing Orphans Estates* read y^e 2^d time and amended and Ordered a third reading.A bill Entituled *an Act for repealing an Act of Assembly begun at James City June 8th 1680 Entituled an act of free and General pardon, Indemnity & oblivion* read the second time and Ordered a third readingAnd then y^e Council adjourned till to morrow morning 8 a'clock.*Saturday June 15th 1706*

present

EDM^d JENINGS, Jn^o Lightfoot, Rob^t Carter Esq^r, James Blair Com^r, Philip Ludwell & Henry Duke Esq^rA bill Entituled *an Act directing the building a house for the Governor of this Colony and Dominion* Read y^e 3^d time with y^e amendments.*Resolved*That y^e bill with y^e amendments do passA bill Entituled *an Act for y^e distribution of Intestates Estates, declaring widows Rights to their deceas'd husbands Estates & for securing Orphans Estates* read y^e 3^d time with y^e amendments.*Resolved*That y^e bill with y^e amendments do pass.A bill Entituled *an Act for raising a publick Revenue for y^e better Support of the Governm^t of this her Maj^{ties} Colony and Dominion of Virginia & for ascertaining y^e Sallary of the Council* read y^e 3^d time with y^e amendm^{ts}*Resolved*That y^e bill with y^e amendments do pass.*Ordered*That the Clerk of the Gen^l Assembly carry the said bills to y^e house of Burgeesses, and acquaint them that y^e Council have made sev^l amendm^{ts} thereto, to w^{ch} they desire the concurrence of that house.

A bill Entituled *an Act confirming titles to Town lands* read y^e 3^d time & passed without amendment.

A bill Entituled *an Act repealing an Act of Assembly begun at James City June 8th 1680* Entituled an Act of free and General pardon, indemnity and oblivion Read y^e 3^d time and passed without amendment.

Ordered

That y^e Clerk of the Gen^l Assembly carry the said Bill to y^e house of Burgeffes and acquaint them that y^e Council have passed the same without any amendment.

Upon consideration of the Report of the last free Conference with y^e Burgeffes on the amendments to y^e Bill Entituled *an Act concerning the Church Clergy and other parochial affairs*.

Resolved

That a free Conference be desired with the Burgeffes on *Munday* next on y^e Subject matter of the last free Conference concerning y^e amendm^{ts} to y^e 1^d bill.

A Bill Entituled *an Act for preventing frauds in the Customs & in clearing of ships, for ascertaining Collectors & Naval officers fees, and to prohibite & prevent the Casting of ballast & dead bodys into Rivers and Creeks* read y^e Second time and Committed for amendments

And then y^e Council adjourned till *Munday* morning 8 a'clock

Munday June y^e 17th 1706

present

BENJ^A HARRISON, Robert Carter Esq^r, M^r Com^r Blair, Philip Ludwell & Henry Duke Esq^r

A message from the Burgeffes to the Council by M^r Peter Beverley and others that the house had agreed to all their Hon^{rs} amendm^{ts} to the bill Entituled *an Act directing the building a house for the Governor of this Colony and Dominion*, and had inserted them therein. That y^e Burgeffes had also agreed to part of their Hon^{rs} amendments to the bill Entituled *an Act for raising a publick Revenue for the better Support of the Government of this her Matys Colony and Dominion of Virginia, and for ascertaining the Sallary of the Council*, and to part they could not agree, and desire the Council to pass the bill as they had agreed to it. And that the Burgeffes had agreed to part of their Hon^{rs} amendments to the Bill Entituled *an Act for the distribution of Intestates Estates, declaring widows rights to their dec^d husbands Estates, and for securing Orphans Estates* with an amendm^t of their own, and to other part they could not agree, and desire their Hon^{rs} to pass the bill as they had agreed to it.

Edm^d Jenings and Dudley Diggs Esq^r present

A message from the Burgeffes to y^e Council by M^r Miles Cary and others who brought a bill Entituled *an Act for the regulation and Settlement of ferrys and for dispatch of publick Expreffes* passed by the Burgeffes to w^{ch} they desire their Hon^{rs} concurrence.

On consideration of the amendments made by the Council to the Bill Entituled *an Act for raising a publick Revenue for the better Support of the Government of this her Matys Colony and Dominion of Virginia, and for ascertaining the Sallary of the Council*.

Resolved

That the Council do not insist on so much of their amendments to y^e 1^d bill as are disagreed to by the house.

The amendm^{ts} proposed by the Council and disagreed to by the Burgeffes in the bill Ent^d *an Act for the distribution of Intestates Estates, declaring widows rights to their deceased husbands Estates and for securing Orphans Estates*

Resolved

That the Council do not insist on so much of their amendm^{ts} to y^e said bill as the house of Burgeffes have disagreed to, And agree to the amendm^t proposed by the house upon their amendm^{ts} to the 1^d bill.

Ordered

Ordered

That the Clerk of the Gen^l Assembly carry y^e f^d bills to y^e house of Burgeffes and acquaint them of the Councils agreeing to y^e f^d bills as y^e house have propofed.

A bill Entituled *an Act for preventing frauds in the Customs, and in clearing of Ships, for ascertaining Collectors and Naval Officers fees, and to prohibite & prevent the casting of ballast & dead bodys into Rivers and Creeks* read y^e 3^d time with the amendm^{ts}

Resolved

That the bill with the amendments do pafs.

Ordered

That the Clerk of the General Assembly carry the faid bill to the house of Burgeffes and desire their concurrence to the amendm^{ts} made by the Council to the faid Bill.

A bill Entituled *an Act for the regulation and Settlement of ferrys and dispatch of publick Expresses* read the first time, and ordered a Second reading.

The Council having taken into consideration the amendm^{ts} to y^e bill concerning the Church Clergy and other parochial affairs, proceeded to y^e debate of such of y^e faid amendments as are proper to be infited on at y^e free Conference with y^e Burgeffes, and

The 21st amendment being read, The Council do recede from the first and third paragraphs of the faid amendment, and agree that y^e 2^d paragraph be altered thus, That a parish being once Supplied with a Minister if he shal continue for the Space of three years to behave himself well in his office he shal not thereafter be removed without a legal trial.

The 25th amendment being read, the Council agree that this amendm^t be propofed as follows *viz* that the Trial of a Clergyman be either as y^e amendment prescribes, or by the Com^{rs} & some of the Clergy, or by y^e Com^{rs} alone.

And as to all the other amendments disagreed unto by the Burgeffes, The Council are so desirous that this Bill should pafs, that they will not further infit on any of y^e f^d amendments.

A message to the Council from the Burgeffes by M^r Miles Cary & others who acquainted the Council that the house agreed to the free Conference desired by their Hon^{rs} on y^e bill Entituled *an Act concerning y^e Church Clergy and other parochial affairs*, and had appointed Managers to meet at time & place propofed.

A message to y^e Council from the Burgeffes by M^r Robert Beverley and others who brought the bill Entituled *an Act for raising a publick Revenue for the better Support of the Government of this her Maj^{ties} Colony & Dominion of Virginia, and for ascertaining the Sallary of y^e Council*, and the bill Entituled *an Act for the distribution of Intestates Estates, Declaring Widows rights to their deceased husbands Estates and for securing Orphans Estates* and acquainted the Council that y^e house had inferted the amendm^{ts} agreed upon in the faid Bills.

And the faid Bills being Examined

Ordered

That y^e Clk of the Gen^l Assembly return y^e f^d Bills to y^e house of Burgeffes and acquaint them that y^e Council have paffed y^e same as amended.

The Book of publick Claims was read over, and some amendm^{ts} made thereto, and the further consideration thereof Referred till to morrow morning

A message from the Burgeffes to the Council by M^r Nathaniel Harrison & others who brought the Bill Entituled *an Act for preventing frauds in y^e Customs & in clearing of Ships, & for ascertaining the Collectors & Naval Officers fees, and to prohibite & prevent the casting of ballast and dead bodys into Rivers and Creeks*, and acquainted y^e Council that the house had agreed to all their Hon^{rs} amendments with some amendm^{ts} of their own to w^{ch} they desire the concurrence of the Council.

And y^e f^d amendments of the Burgeffes to y^e Councils amendm^{ts} being read were agreed to, and

Ordered

That the Clerk of the General Assembly return y^e f^d bill to the house of Burgeffes and acquaint them that the Council agree to the amendm^{ts} propofed by that house upon their amendm^{ts} to y^e f^d Bill.

And then y^e Council adjourned till to morrow morning 8 aclock.

Tuesday

Tuesday June y^e 18th 1706

present

EDMUND JENINGS, *Dudley Digges, Benj^a Harrison, Rob^t Carter Esq^r, M^r Com^{rs} Blair, Philip Ludwell and Henry Duke Esq^r*

A Bill Entituled *an Act for the regulation and Settlement of fferrys and dispatch of publick Expreffes* Read the second time and amended, and

Ordered

That y^e Bill with the amendments be read a third time.

A meffage from the Burgeffes to the Council by M^r *Robert Beverley* and others who brought a bill Entituled *an Act prescribing the method of appointing County Court Clerks and for ascertaining the ffees of the Secretary, County Court Clerks Sherifs & Constables*, to w^{ch} they desire the Councils concurrence.

And y^e said Bill was read the first time, and Ordered a second reading.

The Book of publick Claims being farther read and considered and another amendment made thereto,

Ordered

That the Clerk of the General Affembly carry the book of Claims to y^e house of Burgeffes, and acquaint them that y^e Council have made Several amendm^{ts} and additions thereto, to w^{ch} they desire the concurrence of that house

Ordered

That y^e Clerk of y^e Gen^l Affembly carry the following meffage to the house of Burgeffes, *viz*

The Council taking into consideration that y^e Joint Committee of Council and Burgeffes appointed laft meeting of y^e Affembly in relation to y^e Capitol by reason of y^e adjournm^t w^{ch} speedily enfued had not time to give fo full directions therein as was neccessary, Do now propose that y^e f^d Committee be revived, that fo every thing neccessary for the finishing y^e Capitol may be fully agreed on before the termination of this Sessfon

And then y^e Council adjourned till to morrow morning 8 aclock.

Wednesday June y^e 19th 1706

present

EDMUND JENINGS, *Dudley Digges, Benj^a Harrison, Robert Carter Esq^r, M^r Com^{rs} Blair, Philip Ludwell and Henry Duke Esq^r*

A meffage to the Council from the Burgeffes by M^r *peter Beverley* and others who brought the Bill Entituled *an Act for establishing the County Courts and for regulating and Settling the proceedings therein, directing the manner of granting probates of Wills and administrations of Intestates Estates*, and acquainted the Council that the house had agreed to part of their amendm^{ts}, & to other part they could not agree, and that they had agreed to some other amendments with amendm^{ts} of their own, and desire the Council not to insist on y^e amendments so disagreed to, and to give their concurrence to the Houses amendm^{ts} on their Hon^{rs} amendments.

And y^e said bill and amendments being considered

Resolved

That the Council do not insist on fo much of their amendments as the Burgeffes have disagreed unto. And that the amendments proposed by the Burgeffes be agreed to, and

Ordered, that the Clerk of y^e Gen^l Affembly return y^e f^d bill to y^e house of Burgeffes, and acquaint them that y^e Council have agreed to y^e same as proposed.

A bill Entituled *an Act for the regulation and Settlement of ferrys and for dispatch of publick Expreffes* read y^e third time with y^e amendments

Resolved

That y^e bill with the amendments do pass.

Ordered

That the Clk of y^e Gen^l Affembly carry y^e f^d bill to y^e house of Burgeffes and acquaint them that y^e Council have agreed thereto with some amendments to w^{ch} they desire the concurrence of that House.

A Message from the Burgeffes to y^e Council by M^r Miles Cary and others who brought the Bill Entituled *an Act concerning the Church Clergy and other parochial affairs*, and acquainted their Hon^{rs} that the house disagreed to all the amendments proposed by the Council to the 1st bill at y^e free Conference, and adhered to their former disagreement to the Councils amendm^{ts}

And also brought the Book of Claimes and acquainted the Council that on consideration of the additions and amendments proposed thereto by their Hon^{rs} the house had agreed to part and to part had disagreed.

A bill Entituled *an Act prescribing y^e method of appointing County Court Clerks and for ascertaining the fees of the Sec^{ry}, County Court Clerks, Sherifs & Constables* read y^e 2^d time and Committed for amendments.

The Book of Claims & amendm^{ts} thereto being considered

Resolved

That the Council do not insist on so much of their amendm^{ts} & additions thereto as are disagreed unto by y^e house of Burgeffes. and

Ordered

That the Clerk of the Gen^l Assembly carry the Book of Claims to y^e house of Burgeffes, and acquaint that y^e Council do not insist on y^e amendm^{ts} so disagreed to.

A message to y^e Council from y^e Burg^s by M^r Miles Cary & others who brought the Book of Claims and acquainted them that y^e house had made y^e amendm^{ts} proposed therein.

And y^e said Book being Examined

Ordered

That the Clerk of the Gen^l Assembly carry back y^e said Book to the house of Burgeffes and acquaint them that the Council have passed y^e same as amended.

The order of the house of Burgeffes for paying the money allowances contained in the book of Claims being read was agreed to by the Council, and is as follows

Ordered

That the allowances made in money w^{ch} are contained in y^e book of publick Claims, be paid out of the publick moneys in M^r Treasurer Beverleys hands unto the several persons to whom y^e same are made respectively.

And then y^e Council adjourned till to morrow morning 8 a'clock.

Thursday June the 20th 1706

present

EDMUND JENINGS, Benj^o Harrison, Robert Carter Esq^r, M^r Com^{rs} Blair, Philip Ludwell & Henry Duke Esq^r

The amendments made by the Council to y^e bill Entituled *an Act concerning the Church Clergy and other parochial affairs*. And also the amendm^{ts} proposed at the last free Conference to be inserted in place of other of y^e 1st amendm^{ts} being considered and debated.

Resolved

That y^e Council do adhere to their said amendm^{ts} to that Bill.

A bill Entituled *an Act prescribing the method of appointing County Court Clerks, and for ascertaining the fees of the Sec^{ry}, County Court Clerks, Sherifs & Constables* read y^e third time with y^e amendments.

Resolved

That the bill with y^e amendments do pass

Ordered

That y^e Clerk of the Gen^l Assembly carry the said Bill to the house of Burgeffes, and acquaint them that the Council have passed y^e same with several amendments to w^{ch} they desire the concurrence of that house.

A message from the House of Burgeffes to the Council by M^r Nathaniel Harrison & others who brought the bill Entituled *an Act prescribing the method of appointing County*

County Court Clerks and ascertaining y^e fees of the Sec^{ry}, County Court Clerks, Sherifs and Constables, and acquainted the Council that the Burgeffes had agreed to their Hon^{rs} first amendment with an amendment to w^{ch} they desire their Hon^{rs} concurrence, that to some others they had agreed & to others they could not agree, and therefore desire y^e Council to pass y^e bill without those amendments

Ordered

That the Clerk of the General Assembly go to the house of Burgeffes and acquaint them that the Council desire a free Conference with that house on y^e subject matter of y^e amendments to y^e bill prescribing the method of appointing County Court Clerks, and ascertaining the fees of the Secretary County Court Clerks Sherifs and Constables, and that they have appointed three of their members to manage that Conference with such a number of Burgeffes as the house shall think fitt, and that y^e f^d Managers will be ready to meet those appointed by the Burgeffes to morrow morning at 9 a'clock in the Conference Room.

A message to the Council from the house of Burgeffes by M^r Nath^l Harrison and others who brought the book of proportions of the publick Levy, & desired the Councils concurrence thereto.

And also acquainted the Council that the house agreed to the free Conference desired by their Hon^{rs} on the Subject matter of their amendments to the Bill Entituled *an Act prescribing the method of appointing County Court Clerks and for ascertaining the Sallary of the Secretary, County Court Clerks, Sherifs & Constables*, and had appointed managers to meet at time and place proposed.

Ordered

That Benj^s Harrison, Robert Carter and Henry Duke Esq^{rs} be appointed managers at y^e said Conference.

And then y^e Council adjourned till to morrow morning 8 a'clock.

Friday June 21st 1706

present

EDMUND JENINGS, Benj^s Harrison, Rob^t Carter Esq^{rs}, Ja Blair Com^{ry}, Philip Ludwell & Henry Duke Esq^{rs}

A message to the Council from the Burgeffes by M^r Miles Cary and others who brought a bill Entituled *an Act for raising a publick Levy*, to w^{ch} they desire the Councils concurrence.

And y^e f^d bill was read y^e first time and ordered a second reading.

The Book of proportions of the publick Levy was read & Agreed to, and

Ordered, that the Clerk of the Gen^l Assembly carry y^e same back to the house of Burgeffes

And then y^e Council adjourned during pleasure.

THE Council being mett again

A message was brought from the Burgeffes to y^e Council by M^r Robert Beverley and others, that the house desired a free Conference with the Council on y^e Subject matter of the last free Conference on the Amendments to the Bill Entituled *an Act prescribing the method of appointing County Court Clerks & for ascertaining the fees of y^e Secretary County Court Clerks, Sherifs and Constables*.

Ordered

That the Clerk of the Gen^l Assembly go to the house of Burgeffes and acquaint them that y^e Council agree to the free Conference desired by the house on the Subject matter of the last free Conference, and appoint y^e same at 6 a'clock this afternoon.

A

A Bill Entituled *an Act for raising a publick Levy* read y^e second time and Ordered a 3^d reading

And then y^e managers went to the Conference with y^e Burgeffes and being Returnd

Robert Carter Esq^r Reported that they had mett the Burgeffes at the free Conference on y^e Subject matter of the amendm^{ts} to y^e bill Ent *an Act prescribing the method of appointing County Court Clerks & for ascertaining y^e Sallary of y^e Secretary County Court Clerks, Sherifs and Constables*, and that the Burgeffes infited on their disagreeing to the 9th & 10th amendments propofed by the Council to y^e f^d bill, and had left y^e bill with them.

Upon confideration of w^{ch} Report

Resolved

That y^e Council do adhere to their amendments to y^e f^d bill.

A meffage from the Burgeffes to y^e Council by M^r *Miles Cary* & others who brought feveral Orders of the houle relating to the Capitol, to w^{ch} they desire the Councils concurrence, w^{ch} Orders are as follows

Ordered

That M^r *Henry Cary* do convey and make over unto Coll^o *Nicholson* the Country houfes in the City of *Williamfburgh* according to y^e ordinance of Affembly

Ordered

That all the Materials and Utenfils belonging to the Capitol which are now in the hands of the faid *Henry Cary* & neceffary for y^e Carrying on the building of the Governors houle be appropriated to that ufe, and that all y^e other Materials in his hands belonging to y^e Capitol be fold.

Ordered

That y^e Sum of one hundred & five pounds due from y^e faid *Henry Cary* to the Country for the three Negros fold him and all y^e money arifing upon the Sales of the houfes and materials aforefaid be appropriated to y^e carrying on y^e Gov^{rs} houle, and that he give account thereof to y^e next Affembly.

Ordered

That y^e faid *Henry Cary* do fitt up the office belonging to y^e houle of Burgeffes usefull for preferving the Records and papers thereto belonging.

Ordered

That y^e faid *Henry Cary* do caufe the pavements in the piazzas to be taken up and new laid, and that the well be filled up, and the pavement of y^e walk leading thereby finifhed.

Ordered

That that part of the floor above the Steps in the houle of Burgeffes be made even with the other part of the floor, and that all the Benches therein be made broader.

And the faid Orders being read were agreed to with the following amendm^{ts} viz at 21st line at y^e end, add [and that he fitt up the Secretarys office, and Council office with fuch preffes barrs and desks as are wanting there, according to the direction of the Secretary and Clerk of the Council] and at y^e end add

[*Ordered*

That y^e f^d *Henry Cary* caufe fuch alteraçons to be made in the General Court houle as fhall be directed by the Governor and Council.]*

Ordered

That y^e Clk of y^e Gen^l Affembly carry y^e f^d orders to the houle of Burgeffes and acquaint them that y^e Council have agreed thereto with fome amendm^{ts} to w^{ch} they desire the Concurrence of that houle.

And then y^e Council adjourned during pleafure.

* The brackets are in the original.

AND being again Mett
The bill Entituled *an Act for raising a publick Levy* was read y^e third
time and passed without amendment.

Ordered

That y^e Clk of y^e Gen^l Affembly carry the said bill to the House of Burgeffes and
acquaint them that y^e Council have passed y^e same without amendment
And then y^e Council adjourned till to morrow morning 8 aclock.

Saturday June y^e 22^d 1706

Present

EDMUND JENINGS, Benj^r Harrison, Rob^t Carter Esq^r, James Blair Com^r,
Philip Ludwell & Henry Duke Esq^r

A meffage to the Council from the Burgeffes by M^r Randolph and others
who brought the following Bills *viz* a bill Entituled *an Act for preventing frauds
in the Customs and in clearing of ships and for ascertaining the Collectors & Naval officers
fees and to prohibite and prevent the casting of ballast and dead Bodys into Rivers & Creeks,*
A bill Entituled *an Act for establishing the County Courts, and for regulating the proceedings
therein, and directing y^e manner of granting probates of Wills and administrations of
Intestates Estates,* and a bill Entituled *an Act for the regulations and Settlement of ferrys,*
and acquainted the Council that y^e Burgeffes had inserted the amendm^{ts} in y^e 1^d bill
as agreed upon.

And the said bills and Amendments being examined,

Ordered

That the Clerk of the Gen^l Affembly carry back the said bills to y^e house of Bur-
geffes and acquaint them that y^e Council have passed them as amended.

A meffage from the Burgeffes to the Council by M^r Miles Cary & others who
acquainted their Hon^{rs} that y^e house had agreed to y^e orders sent down by them con-
cerning y^e Gen^l Court house and Secretarys and Council office.

A meffage from the Burgeffes to y^e Council by M^r Robert Beverley & others that
the house of Burgeffes had inrolled 44 Bills and had Sent them up to their Hon^{rs} for
their Satisfaction.

Ordered

That the Clerk of the General Affembly carry back y^e said bills to the Burgeffes
and acquaint them that y^e Council are Satisfyed that y^e bills are truly Inrolled.

His Excellency having Signified to y^e Council his inability to come to y^e Capitol
for passing the Acts of this Affembly by reason of his Indifoposition

The Council adjourned to his Excellencys house.

THE Council being mett at his Excellencys house
His Excellency present

Ordered

That the Clerk of the General Affembly carry the following meffage in
writing from his Excellency to the house of Burgeffes.

Gentlemen

I have confidered [See J. of H. of B., pp. 233-4.]

Ordered

That the Clerk of the General Affembly go to the house of Burgeffes and acquaint
them that his Excell^{cy} commands their immediate attendance on him at his own house,
and that they bring with them such bills as are ready for his assent.

Where

Where the Burgeffes being come

M^r *Speaker* addrested himself to his Excell^{cy} to this effect

May it please y^r Excell^{cy}

In obedience to y^r Excell^{cy}'s commands the House of Burgeffes are come to present to y^r Excell^{cy} severall bills agreed upon this Session by the Council and themselves in order to receive y^r Excell^{cy}'s assent.

And accordingly the severall following Bills being presented, His Excell^{cy} was pleased to give his assent thereto by Signing them in y^e usual manner the same being also Signed by the Speaker of y^e House of Burgeffes *viz*

An Act directing the building [For the following list of 41 Acts, see J. of H. of B., p. 234, l. 19 to end of p. 235.]

Upon presenting to his Excellency *An Act for the better securing the liberty of the Subject*, his Excell^{cy} was pleased to say, *Gentlemen*, I am sorry that I cannot pass this Bill because I am obliged by my instructions not to do it.

And then the Bill Ent^d *an Act repealing an Act made at a Gen^l Assembly held at James City June y^e 8th 1680* Ent^d an Act of free & General pardon, Indemnity and oblivion, being presented to his Excell^{cy}, he was pleased to say that he could not pass that bill as being contrary to his Instructions.

And lastly the Bill Ent^d *an Act for establishing y^e County Courts & for regulating & Settling the proceedings therein, and directing the manner of granting probates of Wills and administrations upon Intestates Estates* being presented, His Excellency said that he was sorry he could not pass that Bill wthout further advice.

And then his Excellency spoke to this effect

That he was Very Glad to see so great a Body of Laws agreed upon And passed this Session, and particularly thank'd the Burgeffes for the act directing the building a house for their Governor, and did not doubt but their proceedings would be very agreeable to her Majesty and for the hon^r and Service of the Country. That as to those bills which he had refused to pass, he had no private interest of his own to engage him to it, but that at present he was tyed up from passing them, and he was perswaded the Assembly would not desire him to do a thing w^{ch} might occasion him any hazard, assuring them that he would endeavour to obtain her Maj^{ties} Leave for passing them at another Session if it be thought convenient

That he found it for her Maj^{ties} Service to prorogue this Assembly no longer than to the fourth of *Septem^r* next, but did not intend it should meet then unless some extraordinary occasion required. And that this Assembly is prorogued to the 4th day of *September* accordingly

Examined 7th

Wil Robertson Cl Gen Assembly

AT A

GENERAL ASSEMBLY

begun & held at her Majestys royal Capitol the twenty fifth
day of *October* 1710 in the ninth year of the reign of our
Sovereign Lady *Anne* by the grace of God of *great Brittain*
France & Ireland Queen defender of y^e faith &c:

At a General Affembly begun & held at her Majeftys royal Capitol the twenty fifth day of *October* 1710 in the ninth year of the reign of our Sovereign Lady *Anne* by the grace of God of *great Brittain France & Ireland* Queen defender of y^e faith &c:

[*October* the 25th, 1710.]

Present

THE Honb^{le} *Alexander Spotfwood* Esq^r her Majeftys Lieut Governor and Commander in chief of *Virginia*, *Edmond Jennings*, *Dudley Diggs*, *Benjamin Harrifon*, *Robert Carter*, *Henry Duke*, *John Smith*, *John Lewis*, *William Churchill* & *William Byrd* Esq^{rs}

William Robertfon being appointed by the Honb^{le} the Lieut Governor to be Clerk of the general Affembly took the Oaths appointed by Act of parliament to be taken in Stead of the oaths of allegiance and Supremacie the Abjuration Oath, Subscribed the teft, and took the oath for the due adminiftration of the Said office

Ordered

That the Clerk of the general Affembly go to the houle of Burgefles and Command the members Immediatly to attend the Governor in the Council Chamber.

The Burgefles attending

The Governor was pleafed to acquaint them that he was very glad to See So good an Appearance, and looked upon their ready concurrence in meeting So foon as a good Omen of their happy Concurrence in their future Confultations, that they were to return to their houle and make choice of a Speaker.

And then the Council adjourned till to morrow morning 10 a Clock

Thursday *October* the 26th 1710

Present

THE Honb^{le} the Lieutenant Governor, *Edmond Jennings*, *Dudley Diggs*, *Benjamin Harrifon*, *Robert Carter*, *John Cufdis*, *James Blair*, *Philip Ludwell*, *Henry Duke*, *John Smith*, *John Lewis*, *William Churchill* & *William Byrd* Esq^{rs}

A meffage from the Burgefles to the Governor by M^r *William Robinfon* and others that the houle had made choice of a Speaker and waited his hon^{rs} Commands when he would be pleafed to have him prefented.

Ordered

That the Clerk of the general affembly go to the houle of Burg^s and acquaint them that the Governor commands their Immediate attendance in the Council Chamber.

The houle of Burg^s attending prefented *Peter Beverly* of the County of *Glofter* Esq^r as their Speaker, who by a Speech Excufed himself and prayed the Governor would be pleafed to direct the houle to make a new Choice, And being Approved of by the Governor He then addreffed himself to his hon^r in the name of all the Burg^s congratulating his Hon^{rs} arrival in this Government, and in behalf of the f^d houle made the ufual petitions for liberty of Speech in their debates, freedom from arreafts in their perfons
and

and Servants, and of having free Access to his Hon^{rs} person, and in behalf of himself that none of his failings might redound to the prejudice of the house. To which the Governor was pleased to answer that the Burg^s might be assured that all their legal rights and priviledges Should be maintained and continued to them.

And then the Governor made the following Speech to the assembly

Gentlemen

The high honour I receive [See J. of H. of B., 1702/3-1712, pp. 240-1.]

And then the Council adjourned till to Morrow morning 10 a Clock

Friday October the 27th 1710

Present

AS YESTERDAY

A Message from the house of Burg^s to the Governor by Mr *William Robinson* And others praying that a new writt may be issued for Electing a Burgees for the County. of *Richmond* in the room of *William Tayloe Gent* deceased, and also that a new writt may be issued for Electing a Burgees for the County of *York* in the room of *Thomas Ballard gent.* deceased.

A petition of *James Adams* Interpreter to the *pamunkey* and *Chicahominy* Indians praying his usual allowance of Sallary may be levied for him read and referred To the Consideration of the house of Burgeesses.

And then the Council adjourned till tomorrow morning 10 a Clock

Saturday October the 28th 1710

Present

AS YESTERDAY

The Claim of *Robert Carter Esq^r* for a negro tryed and Executed Since last Session of Assembly read and referred to the Consideration of the house of Burgeesses

And then the Council adjourned till *Munday* morning 10 a Clock

Munday October the 30th 1710

Present

THE Honourable the Lieutenant Governor, *Edmond Jennings, Benjamine Harrison, James Blair, Philip Ludwell, Henry Duke, John Smith and William Byrd Esq^{rs}*

The propositions from the County of *Norfolk*

The several propositions from *King William* County

The propositions and grievances from *New Kent* County &

The propositions from *Henrico* County

were Severally read & referred to the Consideration of y^e house of Burg^s

The petition of *Chiceley Corbin Thacker, George Clough and William Robertson* praying Allowance for their Attendance as Clerks on the tryal of the *Tuscoruro* indians & also

A petition of *John Clayton* praying allowance for his services in prosecuting the *Tuscoruro* Indians.

read and referred to the consideration of the house of Burg^s

The petition and Claim of *Edward Rofs* and also

The Claim of *Benjamine Harrison Esq^r* for Expences & services about y^e *Tuscoruro* Indians read and referr'd to the Consideration of the house of Burg^s

The

The Governor absent

A motion being made that a Bill be prepared to prevent the cutting cropping or defacing of tobacco hogheads on board of Ships

Resolved

That a Bill be prepared accordingly and that Mr Commiffary *Blair* and *William Byrd Esq^r* do prepare and bring in the same.

And then the Council adjourned till to morrow morning 9 a Clock

Tuesday October the 31st 1710

Present

EDMOND JENNINGS, *Dudley Diggs, Benjamine Harrifon, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis & William Byrd Esq^{rs}*

Resolved and according ordered

That a Bill be prepared and brought in to prevent the deftroying and Murdering of a bastard Children purfuant to the Statute made in y^e reign of King *James* the first

The petition of *John Clayton, John Holloway* and *Rich^d Wharton* praying allowance for their Services on the tryal of the negroe condemned for levying war in this Colony read and referr'd to the confideration of the houle of Burgeffes.

The petition of *William Kaidyee* praying allowance for glazing work done about the Capitol read

and referr'd to the Confideration of the houle of Burgeffes.

And then the Council adjourned till to morrow morning 10 a Clock

Wednesday November the 1st 1710

Present

EDMOND JENNINGS, *Dudley Diggs, Benjamine Harrifon, Robert Carter, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis & W Byrd Esq^{rs}*

The petition of *David Menetrie* for allowance of the Sallary and Charges due to *John Inch* late keeper of the publick goal.

A petition of *David Menetrie* praying allowance of Services done about the Capitol and prifon.

A petition of *Henry Cary* praying that he may be difcharged of a debt due to Mr *Micajah Perry* for Sundry goods fent for the ufe of the Capitol.

A petition of *Henry Cary* praying that his Accounts of charges about the Capitol may be adjufted and Setled and

A petition of the f^d *Henry Cary* praying that his acc^{ts} of difburfements ab^t the Governors houle may be Examined & fetled

were Severally read and referred to the confideration of the houle of Burg^s

And then the Council adjourned till to morrow morning 10 a Clock

Thursday November the 2^d 1710

Present

THE Governor, *Edmond Jennings, Dudley Diggs, Benj^a Harrifon, Robert Carter, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis and William Byrd Esq^{rs}*

The propofitions and grievances from *York County* read & referred to the Confideration of the houle of Burgeffes

The petition of *Thomas Jones* attorney of *Jn^o Redwood* late keeper of the publick goal praying that the Arrears of Sallary due to the f^d *Redwood* may be paid to him read and referred to the Confideration of the houle of Burg.

A Bill Ent^d *an act to prevent the destroying and murdering of bastard Children* read the first time and

Ordered to be read a second time.

The petition of *Katherine Howard* praying allowance for Entertaining Sundry Indians read and

referred to the Consideration of the house of Burgeses.

And then the Council adjourned till to morrow morning 10 a Clock

Friday November the 3^d 1710

Present

EDMOND JENNINGS, *Dudley Diggs, Robert Carter, Philip Ludwell, John Smith, William Byrd Esq^{rs}*

A petition of *Chiceley Corbin Thacker* praying his usual allowance as Clerk of the secretaries office read & referred to the consideration of y^e house of Burg^s

And then the Council adjourned till to morrow morning 10 a Clock

Saturday November the 4th 1710

Present

EDMOND JENNINGS, *Dudley Diggs, Robert Carter, James Blair And Philip Ludwell Esq^{rs}*

The Council mett and adjourned till *Munday* Morning 10 a Clock

Munday November the 6th 1710

Present

THE Governor, *Edmond Jennings, Robert Carter, James Blair, Philip Ludwell and John Smith Esq^{rs}*

A message from the house of Burg^s to the Governor by M^r *William Robinson* and others praying that a new writt may issue for Electing two Burgeses to Serve for *King and Queen* County in the room of M^r *William Byrd* and M^r *John Holloway* who are found not duly Elect^d.

The Governor absent

A Bill Ent^d *an Act to prevent the destroying & murdering of bastard Children* read the second time and amended.

Ordered

That the Bill be Engrossed.

And then the Council adjourned till to morrow morning 10 a Clock

Tuesday November the 7th 1710

Present

EDMOND JENNINGS, *Dudley Diggs, Robert Carter, James Blair and John Smith Esq^{rs}*

The Council met and adjourned till to morrow morning ten a Clock

Wednesday

Wednesday November the 8th 1710

Present

EDMOND JENNINGS, *Dudley Diggs, James Blair, Robert Carter and John Smith Esq^{rs}*

A petition of Mr *Chiceley Corbin Thacker* Clerk of the Secretarys office praying allowance for iffuing of thirty writts for Election of Burgeffes read and referred to the confideration of the houle of Burg^s

The Claim of Coll^o *Benj^s Harrifon* for Expences about the *Tufcoruro* Indians being read.

Resolved

That the Same be recommended to the houle of Burg^s and that y^e Clerk of the general affembly carry the following Meffage to the houle.

By the Honb^{ls} Council

M^r Speaker and Gent. of the houle of Burgeffes

It having been found [See J. of H. of B., p. 259.]

John Lewis Esq^r present

A Bill Ent^d *an act to prevent the destroying and murdering of bastard Children* read the third time

Resolved

That the Bill do pafs

William Byrd Esq^r present

Ordered that the Clerk of the general Affembly carry the f^d Bill to the houle of Burg^s and desire their concurrence to the Same.—

And then the Council adjourned till to morrow morning 10 a Clock

Thursday November the 9th 1710

Present

THE Governor, *Edmond Jennings, Dudley Diggs, Benjamine Harrifon, James Blair, Philip Ludwell, John Smith, John Lewis and William Byrd Esq^{rs}*

A motion being made that leave be given to bring in a Bill to prevent hogs rooting within the City of *Williamsburgh* and certain places adjacent

Ordered

That a Bill be brought in conformable to the f^d motion and that *Edmond Jennings & William Byrd Esq^{rs}* prepare and bring in the Same.

A meffage from the houle of Burg^s to the Governor by Mr *Allerton* and others who brought the following Addrefs

To the Honb^{ls} Alexander Spotswood Esq^r her Maj^{ties} Lieu^t Gov^r of this her Maj^{ties} moft antient Colony & dominion of Virginia

May it please Your Hon^r

We her Majeftys [See J. of H. of B., p. 260.]

Ordered

That the Clerk of the general Affembly carry the following Meffage from the Governor to the houle of Burg^s in anfwer to their Addrefs

M^r Speaker and gent of the houle of Burgeffes

In anfwer to your addrefs [See J. of H. of B., p. 262.]

And then the Council adjourned till to morrow morning 10 a Clock

Friday

Friday November the 10th 1710

Present

EDMOND JENNINGS, *Dudley Diggs, Benj. Harrison, James Blair, Philip Ludwell, John Smith Esq^{rs}*

A Message from the house of Burg^s to the Council by M^r Merrywether and others who brought a Bill Ent^d an Act repealing an act made at her Majesty Queen Anne's Royal Capitol the twenty third day of October in the fourth year of her Majestys reign Ent^d an Act to prevent killing of deer At unseasonable times, And a Bill Ent^d an act for repealing part of an Act Ent^d an Act concerning the granting Seating and planting, and for settling the bounds & titles of lands and for preventing unlawful Shooting and ranging thereupon to which they desire the Councils Concurrence.

Present the Governor *John Lewis & William Byrd Esq^{rs}*

A Bill Ent^d an act repealing an act made at her Majesties' Queen Anne's Royal Capitol the 23^d day of October in the 4th year of her reign Ent^d an act to prevent killing of deer at unseasonable times read the first time and

Ordered a second reading.

A Bill Ent^d an Act for repealing part of an Act Ent^d an act concerning the granting Seating and planting of land and for Settling the titles & bounds of lands, and for preventing unlawful Shooting and ranging thereupon read y^e first time &

Ordered a second reading.

A petition of the Inhabitants of *Charles City County* and also

A petition of Several inhabitants of *James City County* living on the South Side *Chicahominy* river were presented and read, praying that that part of *James City County* lying on the South Side *Chicahominy* river may be Joined to *Charles city County* and thereupon

Ordered that the Clerk of the gen^l Affembly carry the following message from the Governor and Council to the house of Burg^s relating to the f^d petitions.

M^r Speaker and Gent of the house of Burgs.

We have rec^d a petition [See J. of H. of B., p. 263.]

And then the Council adjourned till to Morrow morning Ten a Clock.

Saturday November the 11th 1710

Present

EDMOND JENNINGS, *Dudley Diggs, Benj^a Harrison, James Blair, Philip Ludwell, John Smith, John Lewis and William Byrd Esq^{rs}*

A petition of *Samuel Thomson* of *Surry County* praying allowance for a negro Slave of his outlawed and run away read and

Referred to the consideration of the house of Burg^s

And then the Council adjourned till to *munday* morning ten a Clock

Munday November the 13th 1710

Present

DUDLEY DIGGS, *Benjamin Harrison, James Blair, Philip Ludwell, John Smith, John Lewis & William Byrd Esq^{rs}*

A Bill Ent^d an act to prevent hogs rooting within the City of *Williamsburgh* and certain places adjacent read the first time and

Ordered a second reading

And then the Council adjourned till to morrow morning Ten a Clock

Tuesday

Tuesday November the 14th 1710

Present

DUDLEY DIGGS, *Benjamin Harrison, James Blair, Philip Ludwell, John Smith, John Lewis and William Byrd Esq^{rs}*

A petition of *James Adams* Interpreter to the *Pamunkey and Chicahominy* Indians praying an allowance of his fallary read & referr'd to the Consideraçon of y^e house of Burg.

Present *Edmond Jennings Esq^r*

A message from the Burg^s to the Council by M^r *Christopher Robinson* and others Acquainting their Hon^{rs} that the house have agreed to the Bill Sent from their Hon^{rs} Ent^d *an Act to prevent the destroying and murdering of bastard Children wth Some Amendments* to which they desire the Councils concurrence, and also that the Burg^s have past a Bill Ent^d *an act ascertaining the currant rates of foreign Coines in this dominion* to which they desire the Councils Concurrence.

Present the Honb^{ls} the Lieut Governor

An Engrossed Bill from the Burgeffes Ent^d *an act for ascertaining the Currant rates of foreign coins in this dominion* read the first time and

Ordered a second reading

Present *Henry Duke Esq^r*

A Bill Ent^d *an act repealing an act made at her Majesties Queen Anne's Royal Capitol the 23^d day of october in the 4th year of her Majesties reign* Ent^d *An act to prevent killing of deer at unseasonable times* read the 2^d time and

Ordered a second reading

M^r *Merryweather* and others brought the following written Message to the Governor from the house of Burgeffes

To the Honb^{ls} Alexander Spotswood her Majesties Lieut. Governor of her Colony and dominion of Virginia

May it please Your Honour

We her Majesties most dutyful [See J. of H. of B., p. 265.]

And then the Council adjourned till to morrow morning Ten a Clock

Wednesday November the 15th 1710

Prẽnt

EDMOND JENNINGS, *Dudley Diggs, Benj^s Harrison, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis & William Byrd Esq^{rs}*

The amendments made by the Burg^s to the Bill Ent^d *an act to prevent y^e destroying and murdering of bastard Children* being read were agreed to wth Some amendments.

Ordered

That the Clerk of the gen^l Assembly carry the 1^d Bill to the Burgeffes And acquaint them that the Council have agreed to their Amendments wth Some Amendments to which they desire the Concurrence of that house.

A Bill Ent^d *an act to prevent hogfrooting within the City of Williamsburgh and certain places adjacent* read the second time and amended at the board.

Ordered that the Bill wth the Amendments be Engrossed.

A message from the Burg^s by M^r *Holloway* and others that the house had past a Bill Ent^d *an Act for prevention of abuses in tobacco shipt on freight and for the more certain freighting of tobacco* to w^{ch} they desire the Councils concurrence.

A message from the Burgeffes by M^r *John Robinson* and others that the house have agreed to the amendments made by the Council to their Amendments to the Bill Ent^d *An Act to prevent the destroying and murdering of bastard Children.*

Ordered

Ordered

That the Amendments be inferted in the Bill and that the Clerk of the general affembly carry the f^d Bill to the Burg^s and acquaint them that the Council have inferted the Same Amendments in the Bill.

An Engroffed Bill from the Burg^s Ent^d *an Act for prevention of abuses in tobacco Shipt on freight and for the more certain freighting of tobacco* read the first time and

Ordered a second reading

A Bill Ent^d *an Act for ascertaining the Currant rates of foreign Coins in this dominion* read the Second time and committed for amendments to *Dudley Diggs James Blair and William Byrd Esq^{rs}*

And then the Council adjourned till to morrow morning 10 a Clock

Thursday November the 16th 1710

Present

EDMOND JENNINGS, *Dudley Diggs, Philip Ludwell, Henry Duke, Benjamin Harrifon, James Blair, John Smith, John Lewis & William Byrd Esq^{rs}*

A Bill Ent^d *an Act for prevention of abuses in tobacco Shipt on freight and for the more certain freighting of tobacco* read the 2^d time and committed for amendm^{ts} to *Benjamin Harrifon, Philip Ludwell and John Smith Esq^{rs}*

Robert Carter Esq^r present

Dudley Diggs from the Committee for amending the Bill Ent^d *an Act for ascertaining the Currant rates of foreign Coines in this dominion* reported the amendments made to the f^d Bill and the Same were read.

Ordered

That the Bill wth the Amendments be read a third time to morrow

An Engroffed Bill Ent^d *an Act to prevent hogs rooting within the City of Williamsburgh and certain places adjacent* read the third time.

Resolved

That the Bill do pass

Ordered

That the Clerk of the general Affembly carry the f^d Bill to the house of Burg^s and desire their concurrence thereto.

Ordered

That *Rob^t Carter Esq^r* be appointed one of the Committee for Amending the Bill Ent^d *an Act for preventing Abuses in tobacco shipt on freight and for the more certain freighting of tobacco* in the room of *Philip Ludwell Esq*

And then the Council adjourned till to morrow morning 10 a Clock

Friday November the 17th 1710

Present

EDMOND JENNINGS, *Dudley Diggs, Benj^s Harrifon, Robert Carter, James Blair, Philip Ludwell, Henry Duke, John Smith, Jn^s Lewis & W^m Byrd Esq^{rs}*

Ordered

That the Clerk of the general Affembly carry y^e following Message from the Council to the house of Burgeffes.—

M^r Speaker and Gent. of the house of Burgeffes

The Conspiracie of the Negroes [See J. of H. of B., p. 270.]

And then the Council adjourned till to morrow morning 10 a Clock

Saturday

Saturday November the 18th 1710

Present

EDMOND JENNINGS, *Dudley Diggs, Benj^a Harrison, Robert Carter, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis & W^m Byrd Esq^{rs}*

A Bill Ent^d an Act for prevention of abuses in tobacco Shipt on freight and for the more certain freighting of tobacco being reported wth the Amendm^{ts} was read y^e 3^d time

Resolved

That the Bill do pass

Ordered

That the Clerk of the general Assembly carry the f^d Bill to the house of Burg^s and acquaint them that the Council have pass^d the Same with Sundry Amendments to which they desire the concurrence of that house.

A Bill Ent^d an Act for Setting and ascertaining the currant rates of foreign Coins in this dominion read the third time with the Amendments

Resolved

That the Bill do pass.

Ordered

That the Clerk of the general Assembly carry the f^d Bill to the Burg^s And acquaint them that the Council have pass^d the Same wth Sundry Amendments to which they desire the concurrence of that house.

And then the Council adjourned till *munday* morning 10 a Clock

Munday November the 20th 1710

Present

EDMOND JENNINGS, *Dudley Diggs, Benj^a Harrison, Robert Carter, James Blair, Philip Ludwell, John Smith, John Lewis, William Byrd Esq^{rs}*

A Message from the house of Burg^s to the Council by M^r Eskridge & others who brought the following Bills *Viz^a an Act to Explain part of an Act of Assembly Ent^d An Act for Establishing the general Court and for regulating and Settling y^e proceedings therein, And also a Bill Ent^d an Act to Oblige the minister of the parish of St Stephens in the County of King and Queen to officiate at the Chappel of the f^d parish and for building a Church*, to which they desire the concurrence of the Council.

A Bill Ent^d an Act to Explain part of an Act of Assembly Ent^d an Act for Establishing the Gen^l Court and for regulating and settling the proceedings therein read the first time and

Ordered a Second reading

A Bill Ent^d an Act to oblige the minister of the parish of St Stephens in y^e County of King and Queen to officiate at the Chappel in the f^d parish and for building a Church read the first time and

Ordered a second reading

Present the Governor

A Message from the house of Burg^s to the Governor by M^r Allerton & others praying that a new writt may issue for Electing a Burg^s for the County of *Charles City* in the room of *Thomas Parker* Gent. deceased.

A message from the house of Burg^s to the Council by M^r Randolph & others who brought a Bill Ent^d an Act Establishing the County Courts and for regulating & settling the proceedings therein and for directing the manner of granting probats of Wills And Administration of Intestates Estates and for appointing rolling houses and publick landings to which they desire the Concurrence of the Council.

And then the Council adjourned till to morrow morning Ten a Clock

Tuesday

Tuesday November the 21st 1710

Present

A S YESTERDAY

An Engroffed Bill from the Burg^s Ent^d *an Act for Establishing County Courts for regulating and Setling the proceedings therein and directing the manner of granting probats of Wills and Administration of Intestates Estates and for appointing rolling houses and publick landings* read the first time and
Ordered a second reading

Present the Governor

Ordered

That the Clerk of the general Assembly carry the following message from the Governor to the house of Burgeses.

M^r Speaker and Gent. of the house of Burgeses

Her Majestie having thought fitt [See J. of H. of B., p. 274.]

A petition of the vestry of *Bruton* parish praying the Assistance of the General Assembly for building and enlarging their Church read and referred to the Consideration of the house of Burgeses.

Resolved

That a Bill be prepared to prevent the desertion of Seamen from her Majestys Ships of war and Merchant Ships—

A Bill Ent^d *an Act to Explain part of an Act of Assembly Ent^d an Act for Establishing the general Court and for regulating and settling the proceedings therein* read the second time and committed for amendments to *Philip Ludwell & John Lewis Esq^{rs}*

A Bill Ent^d *an Act to oblige the minister of the parish of St Stephens in the County of King and Queen to officiate at the Chappel in the S^d parish and for building a Church* read the Second time.

Ordered that the Bill ly upon the Table

And then the Council adjourned till to Morrow morning 10 a Clock

Wednesday November the 22^d 1710

Present

A S YESTERDAY

Philip Ludwell Esq^r reported the Amendments made to the Bill Ent^d *an Act to Explain part of an Act of Assembly Ent^d An Act for Establishing the General Court and for regulating and Setling the proceedings therein and the f^d Amendments being disagreed unto, the said Bill was read the third the third time.*

Resolved

That the Bill do pass without amendment

Ordered

That the Clerk of the general Assembly carry the f^d Bill to the house of Burg^s And Acquaint them that the Council have passd the Same without any Amendment.

A message from the house of Burgeses to the Council by *M^r Holloway* and others that the Burgeses had taken into consideration the amendments made by their Hon^{rs} to the Bill Ent^d *an Act for prevention of abuses in tobacco shipt on freight and for the more Certain freighting of tobacco.* And also to the Bill Ent^d *An Act for Setling and Ascertainning the currant rates of foreign Coins in this dominion* And had agreed to Sev^l of the f^d amendments, to Some they had disagreed and to others they had Agreed wth Several amendments of their own and desired that the Council would not insist on Such of their Amendments as that house had disagreed to, and that they would agree to the Amendments made by that house to their Hon^{rs} Amendments

Resolved

That a Conference be desired wth the Burg^s on the Subject matter of the Amendments to the two bills aforementioned, and that *Dudley Diggs, Robert Carter Philip Ludwell*

Ludwell and William Byrd Esq^{rs} do manage the f^d conference to morrow morning at 10 a Clock in the conference room and

Ordered

That the Clerk of the general Affembly go to the house of Burgeffes & desire the said conference accordingly and acquaint them that the Council have Appointed four of their members to meet Such a number of the Burg^s as the house shall think fitt for managing the f^d conference at the time and place aforementioned.

A message from the house of Burg^s to the Council by M^r *Holloway* & others that the house had agreed to the conference desired by their Hon^{rs} and that their managers would be ready to meet those of the Council at the time and place appointed.

And then the Council adjourned till to Morrow morning 10 a Clock.

Thursday November the 23^d 1710

Present

EDMOND JENNINGS, *Dudley Diggs, Benj^a Harrison, Robert Carter, James Blair, Philip Ludwell, John Smith, John Lewis, William Byrd Esq^{rs}*

The managers appointed for the conference wth the house of Burgeffes having prepared Sev^l reasons to be offered at the f^d conference the Same were read and approved off.

Then the Council adjourned during pleasure and the managers went to the Conference—

THE Council being mett

A Bill Ent^d *an Act prohibiting Seamen being harboured & entertained on Shore* read the first time and

Ordered a Second reading.

A Bill Ent^d *an Act for the further restraint of tipling houses and other disorderly places* read the first time and

Ordered a second reading

Dudley Diggs Esq^r from the conference wth the Burg^s on y^e amendments proposed by that house to the Councils Amendments to the Bill Ent^d *an Act for prevention of abuses in tobacco Ship'd on freight and for the more certain freighting of tobacco* reported that they had mett the Burgeffes and offered Sev^l reasons for their disagreeing to the Amendments proposed by that house, and had left the Bill & Amendments with the Burgeffes, and also reported that they had offered reasons for the Councils adhering to their fifth Amendment, to the Bill for the Settling and Ascertainning the Currant rates of foreign Coins in this dominion and had left the Bill with the Burgeffes.

Present the Governor

Ordered

That the Clerk of the General Affembly carry the following Message from the Governor to the house of Burgeffes

M^r Speaker and Gent of the house of Burgeffes

It hath been the care [See J. of H. of B., p. 277.]

And then the Council adjourned till to morrow morning Ten a Clock

Friday November the 24th 1710

Present

AS YESTERDAY

A message from the house of Burg^s to the Council by M^r *Halloway* and others That upon report of the conference with their Hon^{rs} in relation to the Amendments to the Bill Ent^d *an Act for preventing of abuses in tobacco Ship'd on freight and for the more certain freighting of tobacco* that house had passd a Resolve which they had Ordered to be left with their Hon^{rs} together wth the Bill, that the house had

had Agreed to the Amendments propofed by the Council to the Bill Ent^d *an Act for fetling and Afcertaining the currant rates of foreign Coins in this dominion* and had inferted them in the Bill, Alfo that the houfe had paff a Bill Ent^d *an Act to Enable Eliz: Harrifon widow and adminiftratrix of the Eftate of Benja^a Harrifon late of the County of Charles City gent. deceafed to Sell certain Lands and negros late of the Eftate of the f^d Benja^a Harrifon for payment of the debts of the f^d Benja^a*: And alfo a Bill for Afcertaining the bounds between Lancafter and Northumberland Countys to which they defire the Concurrence of the Council.

A Bill Ent^d *an Act for Eftablifhing the County Courts for regulating & fetling the proceedings therein, and for directing the manner of granting of probats of Wills, and Adminiftrations of intefstats Eftates and for appointing rolling houfes and publick landings* read the Second time and Sevⁿ Amendments being offered and a debate arifing thereon.

Refolved

That the Bill do ly till *Munday* for further confideration

Then the Council took into Confideration the Refolve of the houfe of Burg^s on the Bill Ent^d *an Act for prevention of abufes in tobacco Shipt on freight and for the more Certain freighting of Tobacco.*

Refolved

That the Council do not infift on their diffagreement to the Burgefles Amendments to their Sixth Amendment to the f^d Bill but that the Bill be paff wth the Amendment propofed by that houfe.

Ordered

That the Clerk of the general Affembly carry to the houfe of Burg^s the Bill Ent^d *an Act for prevention of abufes in tobacco Shipt on freight and for y^e more certain freighting of tobacco*, and acquaint them that the Council do not infift on their diffagreement to the Amendments made by that houfe to their Hon^{rs} Sixth amendment to the f^d Bill and have paff the Bill as Amended.

The Council having Examined the amendments to the Bill for Setling and Afcertaining the currant rates of foreign coins in this dominion.

Ordered

That the Clerk of the general Affembly carry the f^d Bill to the houfe of Burgefles and Acquaint them that the Council are Satisfyed that the Amendments are truly inferted.

A Bill from the Burg^s Ent^d *an Act to Enable Eliz: Harrifon widow and admin^{rs} of Benja^a Harrifon late of the County of Charles City Gent. deceafed to fell certain Lands & flaves late the Eftate of the f^d Benja^a for payment of the debts of the f^d Benja^a* read the firft time and

Ordered a fecond reading

A Bill from the Burgs Ent^d *an Act for afcertaining the Bounds between the Countys of Northumberland and Lancafter* read the firft time and

Ordered a fecond reading

A Bill Ent^d *An Act for prohibiting Seamen being harboured or Entertained on Shore* read the Second time and Committed for Amendments.

A Bill Ent^d *an Act for the further reftraint of tipling houfes and other diforderly places* read the Second time and Committed for Amendments

And then the Council adjourned till to morrow morning 10 a Clock

Saturday November the 25th 1710

Preſent

EDMOND JENNINGS, Dudley Diggs, Benja^a Harrifon, Robert Carter, James Blair Com^{rs}, John Smith, John Lewis, William Byrd Efqs

A meſſage from the Burgefles by M^r Holloway and others who brought a Bill Ent^d *an Act for raifing a duty on liquors and Slaves* to which they defire the Councils Concurrence.

A Bill Ent^d an Act for raising a duty on Liquors and Slaves read the first time &
Ordered a Second reading

The Amendments to the Bill Ent^d an Act for the further restraint of tipling houses
and other disorderly places being read

Ordered

That the Bill with the amendments be Engrossed.

And then the Council adjourned till *munday* morning 10 a Clock

Munday November the 27th 1710

Prēnt

THE Honourable *Allexander Spotfwood* her Majeftys Lieutenant Governor,
Edmond Jennings, Dudley Diggs, Robert Carter, James Blair Comfy. Philip
Ludwell, John Smith & William Byrd Esq^{rs}

Ordered that the Clerk of the general Affembly carry the following meffage
from the Governor to the house of Burgeffes

M^r Speaker and Gent of the house of Burgeffes

Your ready Concurrence [See J. of H. of B., p. 281.]

Ordered that the Clerk of the general Affembly carry the following meffage from
the Governor to the house of Burgeffes

M^r Speaker and Gentlemen Of the house of Burgeffes

At the beginning [See J. of H. of B., p. 281.]

A Bill Ent^d an Act to Enable *Eliz: Harrifon widow and admin^{rs} of the Estate of*
Benj^a Harrifon late of the County of Charles City Gent deceased to sell certain lands and
Slaves late the Estate of the f^d Benj^a for payment of the debts of the f^d Benj^a read the Second
time and

Ordered a Third reading

The Amendments to the Bill Ent^d an Act for prohibiting Seamen being harboured
or entertained on Shore being read and agreed to

Ordered that the Bill with the amendments be Engrossed.

A Bill Ent^d an Act for the further restraint of tipling houses and other disorderly places
read the third time

Resolved

That the Bill do pass

Ordered

That the Clerk of the general Affembly carry the said Bill to the house of Burgeffes
and desire their concurrence thereto.

A petition of *Robert Ruffin* praying a further allowance for his Negroman *Will* who
discovered the late conspiracie of the negro's in the County of *Surry* read and referred
to the Consideration of the house of Burgeffes

And then the Council adjourned till to morrow morning 10 a Clock

Tuesday November the 28th 1710

Present

EDMOND JENNINGS, *Dudley Diggs, M^r Comfy Blair, Philip Ludwell, John*
Smith and William Byrd Esq^{rs}

A Bill Ent^d an Act to Enable *Eliz: Harrifon widow and Admin^{rs} of the Estate*
of Benjamine Harrifon late of the County of Charles City Gent. dec^d to Sell
certain lands and Slaves late the Estate of the f^d Benj^a for payment of the debts of the f^d
Benj^a read the third time

Resolved

That the Bill do pass

Ordered

Ordered

That the Clerk of the general Assembly carry the f^d Bill to the house of Burg^s and acquaint them that the Council have past the Same wthout amendment.

Present the Governor

A Message to the Governor from the Burg^s by M^r *Holloway* & others that the house had prepared an address to her majesty and also an address to his Hon^r and desire to know when they Shall attend his Hon^r to present the Same

To which the Governor was pleased to acquaint the messengers that he would let them know to morrow.

And then the Council adjourned till to morrow morning 10 a Clock

Wednesday Nov^r the 29th 1710

Present

THE Hon^{ble} *Alexander Spotswood* Esq^r her Majestys Lieut Governor, *Edmond Jennings, Dudley Diggs, Philip Ludwell, M^r Comry Blair, John Smith, William Byrd* Esq^r

Ordered that the Clerk of the general Assembly go to the house of Burgeses & acquaint them that according to their Message of yesterday the Governor is now ready in the Council Chamber to receive their address.

Then the house attended y^e Gov^r and M^r *Speaker* addressed himself to the Governor as follows.

May it please y^r Hon^r

We her Majestys most dutyful and Loyal Subjects [See J. of H. of B., p. 283.]

And then M^r *Speaker* having presented to the Governor the address of the Burg^s to her Majesty, the Governor was pleased to Say that he would by the first opportunity Transmitt their address to her Majesty and did not doubt but it would be graciously received.

A message from the house of Burg^s to the Council by M^r *Holloway* and others who brought the following Bills, to witt, A Bill Ent^d an Act for raising a publick revenue for the better Support of the Government of this her Majestys Colony and dominion of Virginia, A Bill Ent^d an Act for settling the Bounds and titles of Land and for preventing unlawful Shooting and ranging thereupon, And a Bill Ent^d an Act to dissolve the present vestry of the parish of Accomack to which they desire the Councils concurrence; also that the house had inserted y^e amendments agreed on in the Bill for prevention of abuses in Tobacco Shipt on freight.

Ordered

That the Clerk of the gen^l Assembly carry the following message from the Council to the house of Burgeses.

M^r Speaker and Gent of the house of Burgeses

The Council having taken [See J. of H. of B., pp. 286-7.]

And then the Council adjourned till to morrow morning Ten a Clock

Thursday November the 30th 1710

Present

EDMOND JENNINGS, *Dudley Diggs, James Blair Comry, Philip Ludwell, John Smith, William Byrd* Esq^r

A Bill Ent^d an Act for prohibiting Seamen being harboured or Entertained on Shore read the third time.

Resolved

That the Bill do pass

Ordered

That the Clerk of the general Assembly carry the f^d Bill to the house of Burgeses and desire their concurrence thereto

An Engrossed Bill from the Burg^s Ent^d *an Act for raising a publick revenue for the better Support of the Government of her Majestys Colony and dominion of Virginia* read the first time and

Ordered a Second reading

An Engrossed Bill from the Burg^s Ent^d *an Act for Settling the titles and bounds of land and for preventing unlawful Shooting and ranging thereupon* read the first time and

Ordered a second reading

An Engrossed Bill from the Burg^s Ent^d *an Act to dissolve the pretended Vestry of Accomack* read the first time and.

Ordered a Second reading.

A Message from the Burg^s by M^r *Holloway* and others to the Governor That the house had prepared an address to give his Hon^r an Account of their proceedings and desired to know when they Shall attend to present it.

To which the Governor was pleased to answer he would give the house notice by a message.

Ordered

That the Clerk of the general Assembly go to the house of Burgeffes & Acquaint them y^t the Governor is now ready in the Council chamber to receive their address.

The house attending M^r *Speaker* addressed himself to the Governor as follows

We her Majestys most truly Loyal [See J. of H. of B., pp. 285-6.]

To which the Governor was pleased to answer that the matters contained in this Address and in that of Yesterday gave Sufficient testimony of the good agreem^t between him and that house and could not but be very acceptable to one that desired nothing more then to keep up a good Correspondence with them and to make them easie hoping thereby to be so himself

The Council having taken into consideration the Amendments to the Bill Ent^d *an Act for Establishing County Courts and for regulating and settling the proceedings therein* the Said Amendments were twice read and Approved.

Then the Bill Ent^d *an Act for Establishing County Courts and for regulating and settling the proceedings therein* was read the third time with the Amendments

Resolved

That the Bill with the amendments do pass

Ordered

That the Clerk of the general Assembly carry to the house of Burg^s the said Bill and acquaint them that the Council pass the Same with Several Amendments to which they desire the concurrence of that house.

Ordered

That the Clerk of the general Assembly carry to the house of Burgeffes the Bill Ent^d *an Act for prevention of abuses in tobacco Shipt on freight, and acquaint them that the Council have Examined the Same and are Satisfyed that y^e amendments are truly inserted.*

A petition of *John Clayton* and *William Robertson* attorneys of M^{rs} *Susannah Leighton* Executrix of Coll^o *Edward Nott* deceased late Governor of this Colony praying allowance of certain Sums of Money Expended by them by orders of the Government for defraying the Extraordinary charge of the f^d Governors funeral read and referred to the Consideration of the house of Burgeffes.

And then the Council adjourned till to morrow morning 10 a Clock

Friday December the 1st 1710

Present

EDMOND JENNINGS, *Dudley Diggs*, M^r *Conry Blair*, *Philip Ludwell*, *John Smith* and *William Byrd Esq^r*

A Message from the Burgeffes to the Council by M^r *Eskridge* and others who brought a Bill Ent^d *an Act to set free Will a Negro belonging to Rob^t Ruffin* to which they desire the Councils concurrence. And also

A Resolve of the house in answer to the Councils message in relation to the Bill for laying a duty on Liquors and slaves.

Then the said resolve was read as follows

Resolved

That leave be given [See J. of H. of B., p. 287, l. 33 to end of page.]

A Bill Ent^d *an Act for laying a duty on Liquors and Slaves* read the Second time with the Amendments agreed to by the house of Burgeffes and

Ordered a Third reading

A Bill Ent^d *an Act for raising a publick revenue for the better Support of the Government of this her Majesties Colony and dominion* read the Second time and

Ordered a third reading

A Bill Ent^d *an Act to set free Will a negro belonging to Robert Ruffin* read the first time and

Ordered a second reading

Present the Governor

Ordered

That the Clerk of the general Assembly carry the following Message from the Governor to the house of Burgeffes.

Gentlemen

Your late Addreffes [See J. of H. of B., pp. 288-9.]

A Bill Ent^d *an Act for Settling the titles and bounds of lands and for preventing unlawful Shooting and ranging thereupon* read the Second and committed.

And then the Council adjourned till to morrow morning 10 a Clock

Saturday December the 2^d 1710

Present

THE Honb^{le} *Alexander Spotswood Esq^r* her Majestys Lieut Governor, *Edmond Jennings, Dudley Diggs, James Blair Com^{ry}. Philip Ludwell, John Smith and William Byrd Esq^{rs}*

A Bill Ent^d *an Act laying a duty on liquors and Slaves* read the third time with the Amendments.

Resolved

That the Bill do pass

Ordered

That the Clerk of the general Assembly carry the 1st Bill to the house of Burgeffes and acquaint them that the Council have passd the same wth the Amendments agreed to by that house.

A Bill Ent^d *An Act for raising a publick revenue for the better Support of the Government of this her Majestys Colony and dominion of Virg^a* read the Third time.

Resolved

That the Bill do pass

Ordered

That the Clerk of the General Assembly carry the 1st Bill to the house of Burgeffes and acquaint them that the Council have passd the Same without any Amendment.

A Bill Ent^d *an Act to Set free Will a negro belonging to Rob^t Ruffin* read the Second time and

Ordered a Third reading

A Message to the Council by Mr *Christopher Robinson* and others who brought the following Bills *Viz* A Bill Ent^d *an Act for the further restraint of tipling houses and other disorderly places*, and a Bill Ent^d *an Act for prohibiting Seamen being harboured or Entertained on Shore* passd without amendment, Also A Bill Ent^d *an Act for finishing a house for the Governor of this Colony and dominion*, A Bill Ent^d *an Act appointing a Treasurer,*
and

and a Bill Ent^d an Act for security and defence of the Countrey in time of danger, To which they desire the Councils concurrence, and that the house had Agreed to the Amendments made by their Hon^{rs} to the Bill Ent^d an Act for Etablishing County Courts and for regulating and Settling the proceedings therein.

And then the Council adjourned till Munday morning Ten a Clock

Munday Decembr the 4th 1710

Present

EDMOND JENNINGS, Dudley Diggs, James Blair, Philip Ludwell, John Smith, William Byrd Esq^{rs}

A Bill Ent^d an Act for finishing a house for the Governor of this Colony & dominion.

A Bill Ent^d an Act reviving and continuing an Act for Security and defence of the Countrey in times of danger and

A Bill Entituled an Act Appointing a Treasurer were read the first time and Ordered a Second reading

A Bill Ent^d an Act to Sett free Will a negro belonging to Rob^t Ruffin read the third time.

Resolved

That the Bill do pass

Ordered

That the Clerk of the general Assembly carry the f^d Bill to the house of Burgeses and acquaint them that the Council have pass the Same without any Amendment.

The Bill Ent^d an Act for Etablishing County Courts and for regulating and Settling the proceedings therein Examined

Ordered

That the Clerk of the general Assembly carry the Same to the house of Burg^s and acquaint them that the Council are Satisfyed the Amendments are truly made.

Present John Lewis Esq^r

Resolved

That an humble Address be prepared to return the humble Thanks of the Council to her Majesty for her royal favours lately bestowed on this Colony and that M^r Commissary Blair and William Byrd Esq^r prepare and bring in y^e f^d address

Resolved

That an humble address be made to the Hon^{ble} the Lieu^t Governor To Express the happenings of this Countrey under his prudent administration, and that M^r Commissary Blair, and William Byrd Esq^r prepare and bring in the Said address.

A Bill Ent^d an Act for Settling the titles and bounds of lands and for preventing unlawful Shooting and ranging thereupon read the third time with the Amendments.

Resolved

That the Bill do pass.

Ordered

That the Clerk of the General Assembly carry the f^d Bill to the house of Burg^s and Acquaint them that the Council have pass the Same with Some Amendments To which they desire the Concurrence of that house.

And then the Council adjourned till to morrow Morning 10 a Clock.

Tuesday December the 5th 1710

Present

EDMOND JENNINGS, Dudley Diggs, James Blair Conry, Philip Ludwell, John Smith, John Lewis & William Byrd Esq^{rs}

A Bill Ent^d an Act for finishing a house for the Governor of this Colony and dominion read the Second time and

Ordered a Third reading

A Message to the Council by Mr *Buckner* and others who brought the book of publick Claims, And also a Bill Ent^d *an Act for Supply of certain defects found in the Act* prescribing the method of appointing Sheriffs to which they desire the Councils concurrence.

A Bill Ent^d *an Act reviving the Act* for Security and defence of the Countrey in times of danger read the Second time and

Ordered a third reading

A Bill Ent^d *an Act for appointing a Treasurer* read the Second time and

Ordered a Third reading

An Engrossed Bill from the Burg^s Ent^d *an Act for Supply of certain defects found in the Act* prescribing the method of appointing Sheriffs read the first time and

Ordered a Second reading

The book of publick Claims being read over, and the Council observing Sundry Claims disallowed which they conceive to be a Countrey Charge

Resolved

That the following message be Sent to the Burgeesses to recommend the Said Several Claims to be again Considered by that house

By the Hon^{ble} Council

The Council having read [See J. of H. of B., pp. 294-295.]

Present the Governor

A message to the Governor by Mr *Holloway* and others that the house had resolved to give two hundred pounds, towards rebuilding the parish Church of *Bruton* in the City of *Williamsburgh* and prayed the favour of his Hon^r to take the f^d Sum into his hands, and to take the trouble of laying it out for Enlarging the f^d Church and building pews for the Governor Council and Burgeesses, to which the Governor was pleased To answer that he thanked the house for the confidence they had in him, that tho he had never been concerned in business of this nature, he would use his best endeavours to have y^e money laid out to answer their intentions

Ordered

That the Clerk of the General assembly carry the following Message from the Governor to the house of Burgeesses.

Mr Speaker and Gent of the house of Burgeesses

By an Address [See J. of H. of B., pp. 292-293.]

And then the Council adjourned till to morrow morning 10 a Clock

Wednesday December the 6th 1710

Present

A S YESTERDAY

A Bill Ent^d *an Act reviving the act* for security & defence of the Country in times of danger Read the 3^d time

Resolved That the Bill do pass

A Bill Ent^d *an Act for finishing a house for the Governor of this Colony and dominion* read the third time.

Resolved

That the Bill do pass

A Bill Ent^d *an Act appointing a Treasurer* read the third time and

Resolved

That the Bill do pass.

Ordered

That the Clerk of the General Assembly carry the f^d three Bills to the Burg^s And acquaint them that the Council have pass the Same without any amendments

A Bill Ent^d *an Act for Supply of certain defects found in the Act* prescribing the method of appointing Sheriffs read the second time and ordered a Third reading

The Council adjourned for an hour

AND

AND being mett Again
A Bill Ent^d *an Act for Supply of certain defects found in an Act prescribing*

the method of appointing Sheriffs read the third time and
Resolved

That the Bill do pass
Ordered

That the Clerk of the general Assembly carry the 1st Bill to the house of Burg^s and acquaint them that the Council have passd the Same without Amendment.

An humble Address to her Majesty being prepared was read and Signed and is as follows.—

To the Queens most Excellent Majesty

We Your Majesties most dutiful and loyal Subjects the Council of your Antient Colony of *Virginia* mett in Assembly beg leave in all humility Amongst the many blessings of your auspicious reign in which we Share with all your other Subjects, to acknowledge your Majestys late favours to this Countrey in allowing us the benefite of the *Habeas Corpus* Act and in appointing Courts of *Oyer* and *Terminer* for the Speedy Execution of Justice and relief from long Imprisonments: together with your Royal Bounty in Rebuilding our College, Notwithstanding your Majestys other great and urgent Occasions for carrying on an Expensive, but Necessary war; in which with most thankful hearts, we congratulate the yearly repeated Successes of your Majestys forces We pray your Majesty likewise to accept of our unfeigned Thanks for your great care in ordering guard Ships to defend our capes and protect our trade Especially in a most particullar manner we desire to acknowledge your Majesty great goodness to this Colony in Entrusting the Government of it in the hands of Coll^o *Spotswood* our Lieu^t Governor A person who by his prudence, Dilligence, Justice, Generosity and good Temper gives Such a general Satisfaction to all your Majestys good Subjects in this Countrey That we hope it will very much Sweeten our other hard Circumstances occasioned by the great decay of the trade of tobacco, and facilitate everything relating to your Majestys or the Countreys Service; We conclude wth our hearty prayers for your Majestys health and long life: and with the greatest Assurances that no concurrence or assistance Shall be wanting on our parts wth the utmost zeal and dilligence to promote your Majestys Service.

Also an Address to the Governor being prepared was read and Signed and is as follows

To The Hon^{ble} Alexander Spotswood Esq^r her Maj^{ties} Lieu^t Governor of Virginia
May it please your Hon^r

We her Majestys most dutiful and Loyal Subjects to [of] the Council of this Colony and dominion mett in Assembly do promise our selves So much happieness from the prudence and moderation of your Governm^t that we cannot doubt its good Influence on her Majestys Service and the prosperity of this Countrey

The many favourable hints which your Hon^r was pleased to give to the General Assembly in your Speech at the opening of this Session, declare your good Intention to this Colony, and that intention has been confirmed by Effects during the progress of it by your constant and vigorous application to the publick good We beg leave in the humblest manner to thank your Hon^r for Such instances of Your favour, and likewise for the peculiar pleasure with which you vouchsafed to Communicate her Majestys most gracious Bounty to this Countrey, her tender regard to the liberties and happiness of all her subjects: add zeal to our loyalty and make obedience a pleasure; We have presumed in a most humble address To her Majesty to Express our thanks for her Royal favour, which we beseech *You Sir* to transmitt to *England* by the first Occasion: and to accompany it wth your good offices. And if we may Still beg further, it is that your Hon^r would have the goodness to represent the affairs of this Colony in So favourable a manner, That her Majesty may be induced to continue and enlarge her Bountys towards it.

And

And we are perfwaded *Sir* that we may wth a good grace pray for your Hon^{rs} health and long continuance in this Government, becaufe in So doing we pray for the Glory of God, the honour of her Majefty and the Welfare of her Subjects who have the good fortune to be under your care.

And then the Council adjourned till tomorrow morning 10 a Clock

Thursday December the 7th 1710

Present

A S YESTERDAY

A Meffage from the houfe of Burg^s to the Council by M^r *Buckner* and others who brought the Treafurers acc^{ts} paf^t by that houfe to w^{ch} they defire the concurrence of the Council

Present the Governor

The Council having prefented their addrefs to the Governor which was read by M^r *President*

The Governor was pleafed to anfwer that he thanked the Council for the Honour they had done him in that addrefs, and was glad to find that his adminiftration was So acceptable among them.—

A meffage from the houfe of Burg^s to the Council by M^r *Eskridge* and others that the Burg^s upon the Confideration of their Hon^{rs} Amendments to the book of Claims had prepared an anfwer which they had ordered to be left with the Council and hoped they would agree thereto and pafs the book of Claims.

The anfwer of the houfe of Burg^s being read in the words following—*Viz.*

The Burg^s now in Affembly [See J. of H. of B., pp. 295-296.]

Resolved

That the following meffage be Sent to the houfe

The Council having confidered [See J. of H. of B., p. 296.]

The accounts of M^r Treafurer *Beverly* and M^r Treafurer *Harrifon* were read and paf^t by the Council and

Then the Governor Signed his affent to the f^d Accounts

Ordered

That the Clerk of the General Affembly carry the f^d Accounts to the houfe of Burg^s and acquaint them that the Council have affented to them.

And then the Council adjourned till tomorrow morning 10 a Clock.

Friday December the 8th 1710

Present

A S YESTERDAY

A meffage from the Burg^s to the Council by M^r *Buckner* and others who brought the book of Claims and acquainted the Council that the Burg^s had agreed to the allowances propofed by their Hon^{rs} to be made in that book

Resolved

That the f^d Book of Claims be paf^t

Then the Governor Signed his Affent thereto and

Ordered

That the Clerk of the General Affembly carry the f^d Book to the houfe of Burg^s and acquaint them that the Governor and Council have affented thereto.

A Meffage from the Burg^s to the Council by M^r *Holloway* and others that the houfe had paf^t Several Refolves for the payment of mony out of the funds raifed and to be raifed by the duty on liquors and Slaves to which they defire the Councils concurrence.—

The Council having confidered the Several Refolves and orders of the houfe of Burg^s for payment of mony out of the ffunds raifed and to be raifed by the duty on liquors and

Slaves

Slaves do agree to the Same in the terms they are paft by the houfe, and in Order to prevent all difputes that may arife as to the paym^t of the Remaining Ballance due from the Admin^{rs} of the late Treafurer.

Refolved

That all monys which M^{rs} *Elizabeth Harrifon* Shall upon her oath before the Honb^{ls} the Lieut Governor declare She found in Specie at the time of her hufbands deceafe or which has come to her hands fince, and believes to have grown due upon Acc^t of the impositions on Liquors and Slaves be paid in cafh at the rate of Sixteen pennyweight and a half for five Shillings

And then the Council adjourned till to Morrow Morning 10 a Clock

Saturday December y^e 9th 1710

Present

A S YESTERDAY

A meffage from the Burg^s by M^r *John Robinson* and others who brought the Bill Ent^d *an Act for Settling the titles and bounds of lands and for preventing unlawful Shooting and ranging thereupon* and acquainted the Council that the houfe had inferted therein the Amendments agreed on, and alfo brought the Bill Ent^d *an Act for raifing a publick Levy* with the book of propofitions paft by the houfe to which they defire the Councils concurrence and brought the Inrolled Bills paft this Seffion for their Hon^{rs} perufal and acquainted the Council that the houfe had Agreed to their refolve about the future payments to be made by M^{rs} *Harrifon* out of the publick mony in her hands.

A Bill Ent^d *an Act for raifing a publick Levy* read the firft time and

Ordered a fecond reading

Then the Council adjourned during pleafure

A ND being mett again

A Bill Ent^d *an Act for raifing a publick levy* was read the Second time and

Ordered a Third reading

The Council adjourned *ut Supra*

A ND being mett again

A Bill Ent^d *an Act for raifing a publick Levy* was read the third time

Refolved

That the Bill do pafs

Ordered

That the Clerk of the General Affembly carry the f^d Bill to the houfe of Burg^s and acquaint them that the Council have paft the Same.

Present the Governor

The book of publick propofitions [proportions] being read over was agreed to by the Council. And then the Governor was pleafed to Sign his Affent to the Same.

The Council having perufed the inrolled Bills and finding them to be truly tranfcribed

Ordered

That the Clerk of the general Affembly carry the f^d Bills to the houfe of Burg^s

Ordered

That the Clerk of the Gen^l Affembly carry to the houfe of Burg^s the book of propofitions and acquaint them that the Governor and Council have affented to the Several allowances made therein.

Ordered

Ordered

That the Clerk of the Gen^l Affembly go to the house of Burg^s and command their Immediate attendance on the Governor in the Council Chamber and that they bring with them the Bills that are ready for his Assent.

The house of Burg^s Attending accordingly

Mr *Speaker* addrested himself to the Governor to this Effect, That in obedience to his Hon^{rs} Commands the house of Burg^s were come to attend him wth the sev^l Bills past by the Honb^{le} Council and themselves to receive from his Hon^r that Sanction which yet remained to make them Effectual, and then read the Titles of the Said Bills, which were Severally Signed by the Governor and the Speaker as follows *viz*:

[For the following 17 Acts, see J. of H. of B., p. 298.]

After which the Governor was pleased to Say as follows

Gentlemen

Nothing Remains now but to declare to you that I am well Satisfyed wth the general proceedings of this Affembly and return you Thanks for your ready concurrence to many good and Necessary Bills which you have past this Session and that I may not Seem unmindful of your favours, I particularly mention that for finishing the Governors house.

I shall do you Justice to her Majesty in reporting the Cheerfulness wth which You have acted, And I do not doubt But your Bills will Sufficiently testify that you are both dutyfull Subjects and carefull Representatives.

Seeing both the Season of the year and your own domestick affairs require Your return home, I Shall no longer detain you here and therefore I now prorogue you to the last day of *April* at which time You are to meet me here again

Copia Examinat 

Wil Robertson Cl Gen Affembly

AT A

GEN^{LL}: ASSEMBLY

Begun at her Majestys Capitol the 25th day of *October* in the ninth year of the Reigne of our Sovereign Lady *Anne* by the Grace of God of *Great Brittain France and Ireland* Queen Defender of the Faith &c and thence Continued by divers Prorogations and there held the 7th day of *Nouember* 1711 in the tenth year of her Majestys Reign

At a Gen^l Affembly Begun at her Majestys Capitol the
25th day of *October* in the ninth year of the Reigne of
our Sovereign Lady *Anne* by the Grace of God of *Great
Brittain France and Ireland* Queen Defender of the Faith
&c and thence Continued by divers Prorogations and there
held the 7th day of *November* 1711 in the tenth year of her
Majestys Reign

[*November* the 7th, 1711]

Present

EDMUND JENINGS, *James Blair, Phillip Ludwell, John Smith and William
Byrd Esq^a*

The Councill mett and Adjourned till to morrow morning ten a Clock

Thursday November the 8th 1711

Present

THE Gov^r, *Edmund Jenings, James Blair, Phillip Ludwell, John Smith, John
Lewis, William Byrd Esq^a*

Ordered

That the Clerk of the Gen^l Affembly go to the house of Burgeffes and
acquaint them that the Gov^r Commands their immediate attendance in the Council
Chamber

The House Accordingly attending

The Governour made the following Speech

Gentlemen of the Council and House of Burgeffes

That good Agreement [See J. of H. of B., 1702/3-1712, pp. 301-303.]

And then the Council Adjourned till to morrow morning 10 a Clock

Friday November 9th 1711

Present

EDMUND JENINGS, *James Blair, John Smith, John Lewis, William Byrd Esq^a*
The Council mett and Adjourned till to morrow morning 10 a Clock

Saturday November 10th 1711

Present

EDMUND JENINGS, *James Blair, Phillip Ludwell, John Smith, John Lewis,
William Byrd Esq^a*

A message from the house of Burgeffes to y^e Council by M^r holloway and
others who brought the following Resolve Viz^t

Resolved

That there be paid unto *Ralph Baker* out of the publick moneys in M^r *Treasurers*
hands y^e Sum of twenty seven pounds ten Shillings in Satisfaction of twenty five pounds
Sterling ordered him at y^e last Session of Affembly and not yet paid & for other Con-
siderations.

And

And the said Mr *Holloway* acquainted y^e Council that the reason y^t y^e said *Baker* was not paid According to the order of y^e laft Affembly was because through mistake that paym^t was ommitted out of y^e list of the Orders drawn on the money in the hands of M^{rs} *Harrison* Adminift^r of y^e late Treafurer, and that the Burgeffes takeing into Confideraçon the los^s he had Sustained through y^e want of his money for almost a twelve month, and the difference between the payment now in Currant Money, and the paym^t he should have had then w^{ch} was *Sterling*, had thought fitt to allow him fifty Shillings in Consideration thereof To w^{ch} they desire the Concurrence of the Council

Ordered

That the said Refolve ly on the Table for further Consideration

And then the Council Adjourned till *Monday* morning 10 a Clock

Monday Novemb^r y^e 12th 1711

Present

EDMUND JENINGS, *James Blair, Phillip Ludwell, Henry Duke, John Smith*
Esq^{rs}

The Councill mett and Adjourned till to morrow morning 10 a Clock

Tuesday November y^e 13th 1711

Present

THE Govern^r, *Edmund Jenings, James Blair, Phillip Ludwell, Henry Duke and John Smith* Esq^{rs}

The Council haveing taken into Consideration the Refolve of y^e house of Burgeffes brought up on *Saturday* laft

Resolved

That the Council do agree to the paym^t of Twenty Seven pounds ten Shillings Current money to *Ralph Baker* out of the Publick monys in M^r *Treasurers* hands upon the Consideration mençoned in the meffage from y^e Burgeffes laft *Saturday*

And then the Govern^r was pleased to Signe his Affent to y^e f^d Payment

Ordered

That the Clerk of the Gen^l Affembly carry to the house of Burgeffes the Refolve for paym^t of Twenty seven pounds ten Shillings to *Ralph Bacon* and acq^t them that the Gov^r and Council haue agreed thereto.

A propofition from *King William* County for appointing Rangers on the Frontier Countys for their Protection againft the Incurfions of Indians being read

Ordered

That a meffage be prepared to be fent from y^e Gov^r to y^e house of Burgeffes with the said Propofition.

And then the Council Adjourned till to morrow morning 10 a Clock

Wednesday November y^e 14th 1711

Present

EDMUND JENINGS, *James Blair, Phillip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd* Esq^{rs}

Resolved

That an Addrefs be prepared and presented to the Gov^r to render him the humble Thanks of the house for his Speech at the opening of this Seffion of Affembly for his prudent care and frugal Management and Singular dilligence in putting this Country in a pofture of Defence: and Secureing its peace and tranquility in the late times

times of danger and to assure his hon^r y^e the Council will heartily Concur in all those wife propofals he has made to this Affembly for y^e defence and Improvement of this her Majeftys Colony—

Present the Govern^r

Ordered

That the Clerk of the Gen^l Affembly carry the following Meffage from the Governour to the house of Burgeffes together with the Propofition from *King William County*—

Mr Speaker and Gent of the house of Burgeffes

Haveing rec^d a Propofition [See J. of H. of B., p. 309.]

And then y^e Council Adjourned till to morrow morning 10 a Clock

Thursday November 15th 1711

Present

A S YESTERDAY

The petition of *Larkin Chew* praying allowance for himself and ten men Ranging on the Frontiers of *Effex County*

The Propofitions from *James City County*

The Petition of M^{rs} *Elizth Harrifon* praying allowance for paid by her in *Sterling* money more than her deceased husband Received as Treafurer of the late Impositions

Were Severally read and Referred to the Confideraçon of the house of Burgeffes

An humble Addrefs to the Gov^r being prepared was read approved and Signed by all the Members of the Council present and is as follows

To the Hon^{ble} Alexander Spotswood her Majeftys Liev^t Gov^r and Commander in Chief of the Collony and Dominion of Virginia

May it please y^r Hon^r

We the Members of her Majeftys Council met in Affembly humbly beg on this Extraordinary Occasion you will be pleased to accept of our Unfeigned thanks for y^r Speech to both houses of Affembly

We were Wittneffes and can be Vouchers of y^e truth of y^e matters of Façt therein Represented

And as y^e dangers, when impendent were accompanied with a great deal of terror So now that by Gods Bleffing on y^e wife Methods you Contrived, and the Singular dilligence with which you put them in Execution, they are in a great Measure Obviated. We hope they haue only Served to excite our Gratitude for our past deliverance, and our care to prepare againft y^e like dangers, for y^e future

We are highly Sensible of y^e great Conduct and Activity which were So eminently exerted by y^r Hon^r in the late times of danger, to w^{ch} under God we owe both the Peace of this and y^e Neighbouring Colony of *North Carolina* we admire y^e frugality of y^e Expence and hope no Chearfullness will be wanting to Satisfy it

And as we have nearer and more frequent Oppertunities of Observing how Generous and difinterefted y^e methods are, by which you incessantly profecute y^e publick good: We can do no lefs then assure Yo^r Hon^r that we Shall not be wanting in our best Endeavours, to preserve y^e present good harmony between you and y^e Country, and to Concurr Chearfully in those wife propofals which you haue made for y^e defence and Improuem^t of it

Ordered

That *Jn^o Lewis* and *William Byrd Esq^r* wait on y^e Gov^r and acquaint him that y^e Council have prepared an Addrefs to his hon^r and desire to know when and where they shall wait on him to present y^e Same

And being returned

Reported y^t the Gov^r was pleased to say he would not give y^e Council the trouble of waiting on him at his house but should be at y^e Council Chamber to Morrow Morning

And then y^e Council Adjourned till to Morrow morning 10 a Clock

Friday

Friday November y^e 16th 1711

Present

THE Gov^r, *Edmund Jenings, James Blair, Phillip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd Esq^{rs}*

The Council haveing presented their Address to y^e Govern^r
His hon^r was pleased to Answer

Gentlemen

I have so much at heart y^e Welfare of this Colony that I must with Pleasure hear of its being benifitted by my Endeavours, and I cannot but exceedingly rejoice that So good Judges and Such near Wittnesses of my Conduct do approve of my Administrations and that I am Acceptable to an house which is so able to Council me and on whose advice I can so Safely rely—

The Gov^r Absent

A message to the Council from y^e house of Burgeesses by Mr *Holloway* and others who brought a bill Entituled *an Act for appointing Rowling houses and publick Landings and Ascertainning the prices of Storage* passed by that house to w^{ch} they desire y^e Council's Concurrence

A bill Entituled *an Act for appointing Rowling houses and publick Landings and for Ascertainning the prices of Storage*, Read y^e first time

Ordered

That the bill be read a 2^d time on *tuesday* next

And then y^e Council Adjourned till to morrow Morning 10 a Clock

Saturday November y^e 17th 1711

Present

AS YESTERDAY

A message from the Burgeesses by Mr *Holloway* and others who brought a bill Entituled *an Act to restrain persons from keeping horses and breeding Mares that have not Land to keep them on*. To which they desire y^e Councils Concurrence

A bill Entituled *an Act to restrain persons from keeping horses and breeding Mares that have not Land to keep them on*. Read the first time

Ordered

That the bill be read a Second time on *Tuesday* next.

And then y^e Council Adjourned till *Munday* Morning 10 a Clock

Munday November y^e 19th 1711

Present

THE same as on *Saturday*

The Council mett and Adjourned till to morrow Morning 10 a Clock—

Tuesday November the 20th 1711

Present

EDMUND JENINGS, *Robert Carter, James Blair, Henry Duke, John Smith, John Lewis, William Byrd Esq^{rs}*

A message from y^e Burgeesses by Mr *Conaway* and others who brought the Petition of *John Broadnax* Keeper of y^e Publick Goal with a Refolve of y^e house thereupon to which they desire the Councils Concurrence.

And the same being read was agreed to and is as follows *Viz^t*

The

The Petition of *Jn^o Broadnax* keeper of the publick Goal was read setting forth y^e Inconveniencys in haveing a Window on each side of y^e f^d Goal and praying that they may be Stopt up. And that one other window may be made on y^e West end of y^e said Goal which is Surrounded with a high Wall

Resolved

That Liberty be given to y^e said *Broadnax* to made Alteraçon in y^e f^d Publick Goal According to y^e Prayer of his Petition. and that y^e same be done at y^e Charge of the Country

Ordered

That y^e Clerk of y^e Gen^l Affembly return y^e f^d Refolve to y^e house of Burgeffes and acq^t them that y^e Council haue agreed thereto

Phillip Ludwell Esq^r Present

A bill Entituled *an Act for appointing Rowling houses and publick Landings and Ascertaining y^e prices of Storage* read y^e 2^d time

Resolved

That a bill be prepared for Establiſhing Ports and that y^e Rolling houses and publick Landings be Comprized in y^e said bill

Ordered

That *Rob^t Carter James Blair & William Byrd Esq^{rs}* do prepare and bring in the said bill

And then y^e Council Adjourned till to morrow morning 10 a Clock

Wednesday November the 21st 1711

Present

EDMUND JENINGS, *Rob^t Carter, James Blair, Henry Duke, John Smith, John Lewis, William Byrd Esq^{rs}*

A meſſage from y^e Burgeſſes by *M^r Holloway* and others who brought a bill Entituled *an Act to Impower Surveyors of highways to take ſuch trees as ſhall be Neceſſary to make or repair Bridges and high ways*, and alſo a bill Entituled *an Act for ſettling and Aſcertaining y^e Currant rates of forreign Coined Gold*. To which they deſire y^e Councils Concurrence

A bill Entituled *an Act to impower Surveyors of high ways to take ſuch trees as Shall be Neceſſary to make or repair Bridges and high ways* read y^e firſt time and

Ordered

a Second Reading

A bill Entituled *an Act for ſettling and aſcertaining y^e Currant Rates of forreign Coined Gold*, read the firſt time and

Ordered

a Second Reading

The Gov^r Present

A meſſage from y^e Burgeſſes to the Govern^r by *M^r Holloway* and others that the houſe had prepared an Addreſs of thanks to his hon^r and deſired to know when he will be attended by the whole houſe to preſent y^e ſaid Addreſs

Upon which y^e Gov^r was pleaſed to appoint to morrow at one a Clock in the after noon in y^e Council Chamber

A bill Entituled *an Act to refrain people from keeping horſes and breeding Mares that have not Land to keep them on*. read y^e Second time and Committed for Amendm^{ts}

And then y^e Council Adjourned till to morrow morning 10 a Clock

Thursday November the 22^d 1711

Present

THE Govern^r, *Edmund Jennings, Rob^t Carter, James Blair, Phillip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd Esq^{rs}*

The house of Burgeffes attending the Gov^r presented y^e following Addrefs

To the Hon^{ble} Alexander Spotswood Esq^r her Majestys Liev^t Gov^r and Command^r in Chief
of y^e Colony and Dominion of Virginia

The Humble Addrefs of y^e house of Burgeffes

May it please yo^r Hon^r

Wee her Majestys most Loyal [See J. of H. of B., p. 314.]

To which the Gov^r was pleased to make the following Answer

I fhall be glad of y^e Occasion to return the like thanks to you Gentlemen of the house
of Burgeffes for y^r Labouring as Cheerfully as Sincerely and as free from all self Interest
as I have done for y^e generall good of this Colony—

Ordered

That the Report from the Comm^{tee} to whom it was Referred to prepare a bill for
Eftablifhing Ports be made to morrow Morning—

And then the Council Adjourned till to Morrow Morning 10 a Clock

Friday Novemb^r the 23^d 1711

Present

AS YESTERDAY
Ordered

That y^e Clerk of y^e Gen^l Affembly carry the following Meffage from the
Gov^r to the house of Burgeffes

Mr Speaker & Gent of the House of Burgeffes

Tho I did in my Speech [See J. of H. of B., p. 316.]

Robert Carter Esq^r from y^e Comm^{tee} appointed to prepare a bill for Eftablifhing
Ports Reported that they had Accordingly prepared y^e fame w^{ch} H^e delivered in at the
Table and y^e fame was Received

A meffage from y^e Burgeffes to y^e Council by Mr *Holloway* and others that the
house had passed a bill Entituled *an Act directing the manner of granting Probates and*
Adminiftrations of Intestates Estates to w^{ch} they desire y^e Councils Concurrence—

And then y^e Council Adjourned till to morrow Morning 10 a Clock

Saturday November the 24th 1711

Present

AS YESTERDAY

A Bill Entituled *an Act directing the manner of Granting Probates and*
Adminiftracons of Intestates Estates. read the first time and

Ordered

A Second Reading

Ordered

That y^e Clerk of y^e Gen^l Affembly carry the following meffage from y^e Govern^r
to the house of Burgeffes

Gentlemen

In Answer to y^r meffage for my directions in amending y^r Militia Bill. I thought
I had fully discourfied y^e matter wth y^r Comm^{tee} sent on the like meffage laft Seffion tho
it feems my meaning was Mifunderstood I am Sure I haue frequently Intimated the
defects in y^r Present Law to most of y^e Gent of y^e Country, and more Particularly to y^e
members

members of y^r house on divers Occasions. So that if you really intend by Amending that Law to make y^r Melitia of Ufe. I am perfwaded you haue a sufficient Foundation to begin upon. And when you haue proceeded so far as to pass a bill. If any Ommision be found therein, It may properly be Supplied by an Amendm^t from y^e Council who are no doubt Equally Concerned and zealous for y^e defence and Security of their Country
And then the Council Adjourned till *Munday Morning* 10 a Clock

Munday November y^e 26th 1711

Present

EDMUND JENINGS, Rob^t Carter, James Blair, Phillip Ludwell, John Smith, John Lewis, William Byrd Esq^{rs}

The following Addres haveing been presented to the Gov^r last *Saturday* Viz^t

To the Hon^{ble} Alexander Spotfwood her Majesties Liev^t Govern^r of Virginia
We her Majestys most Loyal [See J. of H. of B., p. 318.]

Ordered

That the Clerk of y^e Gen^l Assembly carry the following Message from the Gov^r to the house of Burgeesses in Answer to the f^d Addres

Mr Speaker and Gent^{ls} of the House of Burgeesses

In answer to y^r Addres [See J. of H. of B., p. 319.]

A message from the Burgeesses to y^e Council by M^r Holloway and others who brought a bill Entituled *an Act for y^e better Securing y^e Governm^t and her Majestys Subjects of this Colony ag^t the Attempts of Negro and other Slaves*, and also a bill Entituled *an Act for Building a Prison for Debtors to be Committed to by the Gen^l Court* to which they desire y^e Concurrence of y^e Council

A bill Entituled *an Act to restrain persons from keeping horses and breeding Mares who haue not Land to keep them on*, Read the 3^d time wth the Amendments

Resolved

That the bill as Amended do pass

Ordered

That the Clerk of y^e Gen^l Assembly carry the said bill to y^e house of Burgeesses and acqu^t them y^t the Council have made Sev^l Amendm^{ts} thereto to w^{ch} they desire y^e Concurrence of y^t house

A bill Entituled *an Act for Establishing Ports Ware houses Rowling houses and Publick Landings*, Read the first time and

Ordered

A Second Reading

And then y^e Council Adjourned till to Morrow Morning 10 a Clock

Tuesday November y^e 27th 1711

Present

EDMUND JENINGS, Rob^t Carter, Phillip Ludwell, John Smith, John Lewis, William Byrd Esq^{rs}

A bill Entituled *an Act for y^e better Secureing the Governm^t and her Majesties Subjects of this Colony against the attempts of Negro and other Slaves*. Read y^e first time & Ordered

To ly on y^e Table

A bill Entituled *an Act for building a Prison for Debtors to be Committed to by the Gen^l Court*. Read the first time and

Ordered

A Second Reading

M^r

M^r Commiffary Blair Prefent

A bill for Eftablifhing Ports Ware houfes Rowling houfes and Publick Landings.
Read the Second time and

Ordered

To be Engroffed

A bill Entituled *an Act directing the manner of granting Probates of Wills and Adminiftracions of Inteftates Eftates*. Read y^e Second time and Committed for Amendm^{ts}

A bill Entituled *an Act to Impower Surveyors of high ways to take Such trees as fhall be Neceffary to make or Repair Bridges and high ways*. Read y^e Second time and

Ordered

To ly on the Table

And then y^e Council Adjourned till to morrow morning 10 a Clock

Wednesday November y^e 28th 1711

Prefent

A S YESTERDAY

The Amendm^{ts} to the bill directing the manner of granting Probates of Wills and Adminiftracions of Inteftates Eftates being twice Read

Ordered

That the bill wth y^e Amendm^{ts} be read a third time to Morrow Morning

Prefent The Govern^r

The houfe of Burgeffes attending the Gov^r prefented the following Addrefs

To the Hon^{ble} Alexander Spotfwood her Majesties Liev^t Gov^r of Virginia

We her Majesties moft Loyal [See J. of H. of B., p. 320.]

To which y^e Gov^r was pleafed to make y^e following Anfwer

Gentlemen

I am very glad [See J. of H. of B., p. 321.]

A meffage from y^e Burgeffes to y^e Council by M^r Holloway and others that y^e houfe of Burgeffes had difagreed to all y^e Amendm^{ts} made by the Council to the bill Entituled *an Act to refrain perfons from keeping horfes and breeding Mares who have not land to keep them on*, and defire y^e Council will be pleafed to pafs the bill without thofe Amendm^{ts}

A bill Entituled *an Act for Eftablifhing Ports Ware houfes Rowling houfes and publick Landings*. Read y^e third time

Resolved

That y^e bill do Pafs

Ordered

That y^e Clerk of y^e Gen^l Affembly carry y^e faid bill to y^e houfe of Burgeffes and defire their Concurrence thereto

And then y^e Council Adjourned till to Morrow Morning 10 a Clock

Thursday November y^e 29th 1711

Prefent

A S YESTERDAY

A bill Entituled *an Act directing the manner of granting Probates of Wills and Adminiftracions of Inteftate Eftates*. Read y^e third time with the Amendments

Resolved

That y^e bill with y^e Amendm^{ts} do pafs

Ordered

That y^e Clerk of y^e Gen^l Affembly carry the fame to y^e houfe of Burgeffes and acq^t them y^t the Council have paffed y^e fame with Sev^l Amendments to w^{ch} they defire y^e Concurrence of that houfe

A bill Entituled *an Act for building a Prison for Debtors to be committed to by y^e Gen^l Court.* Read y^e Second time and

Ordered

A Third Reading

And then y^e Council Adjourned till to morrow morning 10 a Clock

Friday November y^e 30th 1711

Present

EDMUND JENINGS, Robert Carter, James Blair, Phillip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd Esq^{rs}

A bill Entituled *an Act for building a Prison for Debtors to be Committed to by y^e Gen^l Court.* Read the third time

Resolved

That y^e bill do pass

Ordered

That y^e Clerk of y^e Gen^l Assembly carry the said bill to y^e house of Burgeffes and acq^t them that y^e Council have passed the Same without any Amendm^{ts}

And then the Council Adjourned till *Munday* morning 10 a Clock

Munday Decemb^r the 3^d 1711

Present

JAMES BLAIR, Phillip Ludwell, Henry Duke, John Smith, John Lewis Esq^{rs}
The Council mett and Adjourned till to morrow Morning 10 a Clock

Tuesday December y^e 4th 1711

Present

JAMES BLAIR, Phillip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd Esq^{rs}

A message from y^e Burgeffes to the Council by M^r Holloway and others that y^e house of Burgeffes had agreed to y^e Amendm^{ts} made by the Council to y^e bill Entituled *an Act directing the manner of granting Probates of Wills and Administrations of Intestates Estates* and had incerted them in y^e 1st Bill. Also y^e the house had passed a bill Entituled *an Act to Enable Francis Yeats of y^e County of Richmond to Convey Certain Lands to Jn^o Tayloe Gent in lieu of other Lands and Negros of greater Value to be Settled to y^e Same Uses* to w^{ch} they desire y^e Councils Concurrence

A bill Entituled *an Act to Enable Francis Yeats of y^e County of Richmond to Convey certain Lands to Jn^o Tayloe Gent in lieu of other Lands and Negros of greater Value to be Settled to y^e Same Uses.* Read y^e first time and

Ordered

A Second Reading

The Council haveing examined the bill directing y^e manner of granting Probates of Wills and Administrations of Intestate Estates

Ordered

That y^e Clerk of y^e Gen^l Assembly carry y^e said bill to the Burgeffes and acq^t them that y^e Council are Satisfyed the Amendm^{ts} are truly inferted and haue passed y^e bill as amended

And then y^e Council Adjourned till to Morrow Morning 10 a Clock

Wednesday

Wednesday December y^e 5th 1711

Present

JAMES BLAIR, Phillip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd Esq^{rs}

A petition of *Chichely Corbin Thacker* praying his Ufual allowance as Clerk of the Secretarys Office. and

A petition of *Edward Rofs* praying allowance for transporting Indians over *James River*. Were Severally Read, and

Referred to the Consideraçon of y^e house of Burgefes

A bill Entituled *an Act for fettling and ascertaining the Currant Rates of forreign Coined Gold*. Read the 2^d time

And the question being putt, that y^e bill be made [read] a third time

It passed in the Negative

Resolved

That y^e bill be rejected

A bill to Enable *Francis Yates* of the County of *Richmond* to convey certain entailed Lands lying in the f^d County to *Jn^o Tayloe Gent* in lieu of other Lands and Negros of greater Value to be fettled to y^e Same Ufes. Read the 2^d time and

Ordered

A third Reading

And then y^e Council Adjourned till to morrow morning 10 a Clock—

Thursday December the 6th 1711

Present

AS YESTERDAY

The Council haveing taken into Consideration these Amendm^{ts} to the bill to restrain persons from keeping horses and breeding Mares who haue not Land to keep them on

Resolved

That y^e Council do Adhere to the f^d Amendm^{ts}

Ordered

That y^e Clerk of the Gen^l Assembly carry the said bill to y^e Burgefes and Acq^t them that the Council adhere to all their Amendm^{ts} to y^e said bill

A bill Entituled *an Act to Enable Francis Yates of the County of Richmond to Convey certain Lands lying in the said County to Jn^o Tayloe Gent in lieu of other Lands and Negros of greater value to be fettled to y^e same Ufes*. Read the 3^d time

Resolved

That the bill do pass

Ordered

That the Clerk of the Gen^l Assembly carry the said bill to the Burgefes and Acquaint them that the Council haue passed the same without any Amendments

And then the Council adjourned till to morrow morning 10 a Clock

Friday December the 7th 1711

Present

EDMUNDS JENINGS, Robert Carter, James Blair, Phillip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd Esq^{rs}

The Council being informed of divers Mismanagements in the building the Gov^{rs} house

Ordered

That *Henry Cary* Overfeer of the said work lay before the Council to morrow morning an Acc^t of his Disburfments with the proper Vouchers Since the passing the act for finishing the said house.

And then the Council Adjourned till to morrow morning 10 a Clock

Saturday

Saturday December the 8th 1711

Present

AS YESTERDAY

A Message to y^e Council from y^e house of Burgeffes by Mr *Allerton* and others that the house had passed a bill Entituled *an Act for granting her Majesty certain dutys upon Sev^l goods and Merchandizes for carrying on a Warr against the Tufcaruro Indians their Adherents and Abettors* to w^{ch} they desire the Concurrence of the Council

Mr *Henry Cary* attending According to order and moveing for further time to Compleat his Acc^{ts} in order to be laid before the Council

Ordered

That y^e said *Henry Cary* attend with his Acc^{ts} and Vouchers on *tuesday* morning next

And then y^e Council Adjourned till *Munday* morning 10 a Clock

Munday December the 10th 1711

Present

EDMUND JENINGS, *Robert Carter, James Blair, Phillip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd Esq^{rs}*

A bill Entituled *an Act for granting to her Majesty certain dutys upon Sev^l goods and Merchandizes for carrying on a War against the Tufcaruro Indians their Adherents and abettors.* read the first time and

Ordered

To be read a Second time

And then the Council Adjourned till to morrow morning 10 a Clock

Tuesday December the 11th 1711

Present

AS YESTERDAY

The Council mett. and that they might attend the Court of *Oyer and Terminer*

Adjourned till to morrow morning 10 a Clock

Wednesday December the 12th 1711

Present

AS YESTERDAY

A Bill Entituled *an Act for granting to her Majesty certain dutys and Impositions upon sev^l goods and Merchandizes for carrying on a War against the Tufcaruro Indians their Adherents and Abettors.* read the 2^d time

Ordered

That before the 1^d bill have a third Reading a message be sent to the Burgeffes to Signify to that house the Amendm^{ts} and altera^{cs}ons which the Council think Necessary to be made in that bill, and that the 1^d message be prepared ag^t to morrow morning

A message from y^e Burgeffes by Mr *Buckner* and others who brought the Book of publick Claims past by that house To which they desire the Concurrence of y^e Council and also

Sev^l Resolves of that house for allowance of fix £ Cent to M^{rs} *Elizth Harrison* for money paid by her in *Sterling* more than was rec^d on that Specie by her dec^d husband as Treasurer of the late Impositions, To which they desire the Concurrence of the Council

A message from the Burgeffes by Mr *Holloway* and others that y^e house had passed A bill Entituled *an Act for raiseing a Land force for carrying on a War against the Tufcaruro Indians*

Indians their Adherents and Abettors and for punishing Mutuny and desertion and for paym^t of the Army. A bill for appointing Rangers and also a bill Entituled *an Act appointing a Treasurer.* To which they desire the Concurrence of the Council—

A meffage from the Burgeffes by M^r Jn^o Robinson and others that the house had paffed a bill Entituled *an Act to Enable Jn^o Cuftis Gent and Frances his wife to sell a Mill and certain Lands and Negros w^{ch} are entailed on the f^d Frances by the last will and Testament of Daniell Parke Esq^r dec^d for paym^t of y^e debts and Legacys of y^e f^d Daniell To w^{ch} they desire y^e Concurrence of y^e Council*

A bill Entituled *an Act for raiseing a Land force for carrying on a Warr ag^t the Tuscaruro Indians their Adherents and Abettors and for punishing Mutuny and desertion and for payment of the Army.* read the first time and

Ordered

A Second Reading

A bill Entituled *an Act for appointing Rangers.* read the first time. and

Ordered

A Second Reading

A bill Entituled *An Act appointing a Treasurer* Read the 1st time & Ordered a 2^d Reading

A bill Entituled *an Act to Enable Jn^o Cuftis and Frances his wife to sell a Mill and divers Lands and Negros w^{ch} are entailed on the f^d Frances by the last will and Testament of Daniell Parke Esq^r dec^d for payment of y^e debts and Legacys of the f^d Daniell.* read the first time. and

Ordered

A Second Reading

M^r Henry Cary presented his Acc^{ts} of Disburf^{ts} about the Governours house and it is Ordered that the f^d Acc^{ts} ly on the Table to be perused by the members of y^e Council

And then the Council Adjourned till to morrow morning 9 a Clock

Thursday December the 13th 1711

Present

THE Govern^r, And the Same Council as Yesterday

Ordered

That y^e Clerk of the Gen^l Assembly carry the following meffage from the Gov^r to the house of Burgeffes

M^r Speaker and Gent of the house of Burgeffes

I think it proper to lay before you the Treaty I have concluded with 8 Towns of the *Tuscaruro* Indians wherein you will perceive by the Supplys and Rewards promised them in the 6th 7th and 8th Articles and more Especially what is menconed in the 9th That I rely upon the Affurances you gave me in y^r Address of the 28th of Novemb^r But y^e rewards that are to be given to those Indians will Shorten y^e work and Lessen y^e Charge of our Expedition from hence. By the 4th Article you will Observe they are Obligated to send hostages for y^e faithfull performance of their Engagem^{ts} which being Necessary for making this Treaty Effectual. I think proper to put you in mind of what I Recommended to you in my Speech at y^e opening of this Session for affisting the College to Support y^e Charge of their maintenance and Education of those hostages and having Communicated to some of the members of y^r house a project whereby that may be done without any Charge to the Country I have no doubt but it will be ready Agreed to by y^r house—

A bill Entituled *an Act Appointing Rangers* read y^e Second time and Committed for Amendments—

The meffage to the Burgeffes upon the Subject matter of the bill for granting to her Majesty certain dutys and Impositions upon goods and Merchandizes for carrying

on

on a War against the *Tuscaruro* Indians their Adherents and Abettors being prepared was Read. and Ordered to be Carried to the house of Burgeffes by the Clerk of y^e Gen^l Affembly. and is as follows

M^r Speaker and Gent^ls of the House of Burgeffes

The Council haveing now [See J. of H. of B., pp. 332-335.]

A bill for Raifing a Land force for carrying on a Warr against the *Tuscaruro* Indians their Adherents and Abettors and for punifhing Mutuny and defertion and for payment of y^e Army. read the 2^d time and Committed for Amendments

And then y^e Council adjourned till to morrow Morning 9 a Clock

Friday Decemb^r y^e 14th 1711

Present

AS YESTERDAY

A Bill to Enable *Jn^o Cuftis* and *Frances* his Wife to fell a Mill and Certain Lands and Negros w^{ch} are entailed on the f^d *Francis* by the laft will and Teftam^t of *Daniell Parke Esq^r* dec^d for paym^t of the debts and Legacys of y^e faid *Daniell*

Read the 2^d time and

Ordered

A third reading

A bill Entituled *an A^t for appointing Rangers*, read the third time with y^e Amendm^{ts}

Resolved

That the bill as Amended do pafs

Ordered

That the Clerk of y^e Gen^l Affembly do carry the f^d bill to the Burgeffes and acq^t them y^t the Council have made Severall amendments thereto to w^{ch} they defire y^e Concurrence of that houfe.

And then the Council adjourned dureing Pleasure

AND being again mett

A bill Entituled *an A^t to Enable Jn^o Cuftis and Frances his Wife to fell a Mill and certain Lands and Negros which are entailed on y^e f^d Francis by the laft will and Teftam^t of Daniell Parke Esq^r dec^d for Paym^t of y^e Debts and Legacys of y^e faid Daniel* Read the 3^d time

Resolved

That y^e bill do Pafs

Ordered

That y^e Clerk of y^e Gen^l Affembly carry the f^d bill to y^e Burgeffes and acq^t them y^t the Council have paffed the fame without Amendments

A meffage from y^e Burgeffes by M^r *Holloway* and others that y^e Burgeffes had agreed to the Amendm^{ts} propofed by the Council. To that bill Entituled *an A^t for appointing Rangers* and had incerted them therein.

The Council proceeded to take into Confideration M^r *Carys* Acc^{ts} and after fome time fpent therein

Resolved

That the further Confidera^on of y^e f^d Acc^{ts} be Referred till *Munday* next

And then y^e Council Adjourned till to morrow Morning 9 a Clock

Saturday

Saturday December the 15th 1711

Present

AS BEFORE

A Message from y^e Burgeffes by M^r *Holloway* and others that y^e house had Commanded them to attend y^e Council with a Written message in answer to their hon^{rs} message of y^e 13th instant proposing certain Amendm^{ts} to y^e bill Entituled *an Act for granting to her Majesty certain dutys upon Sev^l goods and Merchandizes for carrying on a Warr against y^e Tuscaruro Indians their Adherents and Abettors*

And y^e f^d message being read in the following words

May it please yo^r Hon^{rs}

This house haveing taken [See J. of H. of B., p. 336.]

Resolved

That a Conference be desired with the Burgeffes upon the Subject matters of y^e Councils message of the 13th instant not taken notice of in the Answer this day del^d

A bill Entituled *an Act for raising a Land force for Carrying on a Warr against y^e Tuscarouro Indians their Adherants and Abettors and for punishing Mutuny and disertion and for payment of y^e Army.* Read y^e third time with y^e Amendments

Resolved

That the bill with y^e Amendments do pass

Ordered

That the Clerk of the Gen^l Assembly carry the f^d Bill to y^e Burgeffes and acq^t them that the Council haue made Sev^l Amendments thereto to which they desire y^e Concurrence of that house

The Council haveing Examined the Bill for appointing Rangers and being Satisfyed that y^e Amendments are truely inferted

Ordered

That y^e Clerk of the Gen^l Assembly returne y^e f^d Bill to y^e Burgeffes

And then y^e Council Adjourned till *Munday* Morning 10 a Clock

Munday December the 17th 1711

Present

EDMUND JENINGS, Robert Carter, James Blair, Philip Ludwell, John Smith, William Byrd Esq^{rs}

Ordered

That y^e Clerk of the Gen^l Assembly go to y^e house of Burgeffes and acq^t them that the Council desire an Immediate Conference with that house on the Subject matter of their message of the 13th instant. and haue appointed three of their Members to manage the Same with Such a Number that house fhall think fitt

Ordered

That M^r Commiffary *Blair Phillip Ludwell* and W^m *Byrd* Esq^{rs} do manage y^e f^d Conference

A message from y^e Burgeffes by M^r *Holloway* and others y^t the house had agreed to y^e Conference desired by their Hon^{rs} and that their Managers would be Ready in y^e Conference Room

Ordered

That a bill be brought in to prevent Tradeing with y^e Indians

Then y^e Council Adjourned dureing Pleasure and y^e Managers went to the Conference—

AND

AND being Returned The Council was Refused. And y^e Managers Reported that they had mett y^e Burgeffes at y^e Conference That y^e Burgeffes Seemd Inclinaire to alter y^e Title of y^e Bill, but when y^e Council would haue entred upon y^e other Amendm^{ts} The Managers for y^e Burgeffes declared they were bound down by the Orders of their house not to Confer upon any part of y^e Bill w^{ch} Concerned y^e dutys imposed or y^e time of their Continuance Whereupon y^e Conference broke up—

Ordered

That y^e f^d Report be Considered to Morrow Morning

And then the Council Adjourned till to morrow morning 10 a Clock—

Tuesday December the 18th 1711

Present

EDMUND JENINGS, Rob^t Carter, James Blair, John Smith and William Byrd Esq^{rs}

A bill to prevent Tradeing with the Indian Enemy being prepared was read the first time. and

Ordered

A Second Reading

A message from y^e Burgeffes by M^r Holloway and others who brought the following written Message upon Occasion of y^e Conference had between their hon^{rs} & that house

Resolved

That this house doth agree to give leave to y^e Council to amend y^e bill Intituled *an Act for Granting to her Majesty certain dutys upon Sev^l goods and Merchandizes for Carrying on a Warr against the Tuscaruro Indians their Adherents and Abettors* in the Title and Preamble According to their message on the 13th instant and also to amend y^e said Bill in Such Other parts as Necessarily require Amending upon y^e Altera^{co}n of y^e Title—

The Council proceeded to take into Considera^{co}n the book of Claims and haveing Spent some time therein

Ordered

That y^e Considera^{co}n of y^e book of Claims be further proceeded in to morrow Morning

Then the Council Adjourned till to Morrow morning 9 a Clock

Wednesday December the 19th 1711

Present

AS YESTERDAY

The Resolves of y^e house of Burgeffes for allowance of 6 p Cent for y^e difference of Exchange between *Sterling* and Currant Money on £ 781 : 14 : 2 3/4 paid by M^{rs} Elizth Harrison Administ^r of y^e Estate of Benj^a Harrison Jun^r Gent dec^d late Treasurer of the Impositions being read

Resolved

That the Council do agree to the f^d Resolves that 6 p Cent be paid y^e f^d M^{rs} Elizth Harrison on £ 781 : 14 : 2 3/4 out of y^e Publick Moneys in M^r Treasurer hands amounting to £ 47 : 1 : 10

The book of Claims being read through and Considered. And thereupon a Petition of *Edmund Jenings* Esq^r for fees for y^e Court of *Oyer and Terminer* and also a Petition of *William Byrd* Esq^r for allowance of Sloop hyre for Palifadoes being read

Ordered

That the said Claims and Allowances be aded to the Book of Claims

A written meffage being prepared to be fent to y^e Burgeffes was read as follows

M^r Speaker and Gent^{rs} of the house of Burgeffes

The Council haue alwais Judged [See J. of H. of B., p. 338.]

And thereupon the question being put that y^e faid Meffage be now fent. *it passed in the Affirmative*

Ordered

That the Clerk of y^e Gen^l Affembly carry the f^d Meffage to the Burgeffes

A meffage from y^e Burgeffes by M^r *Holloway* & others who brought the following Anfwer to the Councils Meffage fent this day

May it please yo^r Hon^{rs}

The Burgeffes being defireous [See J. of H. of B., pp. 338-9.]

Ordered

That y^e f^d Meffage be Considered to morrow

A meffage from y^e Burgeffes by M^r *Soans* and M^r *Francis Epps* who brought an inrolled bill Entituled *an Act Appointing Rangers* to be Examined by the Council

And being Examined: *Ordered* that y^e Clerk of y^e Gen^l Affembly carry the fame to the house of Burgeffes

Ordered

That y^e Clerk of y^e Gen^l Affembly go to the house of Burgeffes and Command their Immediate attendance on y^e Gov^r in the Council Chamber and that they bring with them the bill for appointing Rangers to Receive the Gov^{rs} Affent

The Burgeffes attending the Gov^r Signed y^e Bill for appointing Rangers And then made the following Speech—

M^r Speaker and Gentlemen of the House of Burgeffes

Some late intellegence [See J. of H. of B., pp. 339-340.]

A bill Entituled *an Act for restraining trade with Indians in this time of danger* read y^e 2^d time and

Ordered

To be Engrossed

And then y^e Council Adjourned till to morrow morning 9 a Clock

Thursday December y^e 20th 1711

Prefent

A S YESTERDAY

A Bill Entituled *an Act for restraining Trade with Indians in this time of danger* read the third time

Resolved

That the bill do pafs

Ordered

That y^e Clerk of the Gen^l Affembly carry the f^d bill to the Burgeffes and desire their Concurrence thereto

Ordered

That the following meffage be fent to the Burgeffes with y^e Book of Claims—

M^r Speaker and Gent^{rs} of the House of Burgeffes

The [Council] haveing taken into Confideration [See J. of H. of B., pp. 340-342.]

The Council having taken into Confideraçon the Meffage Sent by the Burgeffes Yesterday

Resolved

That the following Anfwer be returned to the f^d Meffage

By the Council

The Council haveing taken into Confideration [See J. of H. of B., pp. 345-347.]

And then the Council Adjourned till Tomorrow morning 10 a'clock

Friday

Friday December the 21st 1711

Present

EDMUND JENINGS, James Blair, Phillip Ludwell, Jn^o Smith and William Byrd Esq^{rs}

The Council proceeded to take into Consideraçon M^r henry Carys Acc^{ts} and finding therein Sev^l Considerable payments for w^{ch} there are no Vouchers

Ordered

That the f^d henry Cary perfect his Accompts and lay the same before the Council when Required.

A meffage from y^e Burgeffes by M^r Buckner and others who brought the Book of Claims with y^e following written Meffage

May it please yo^r Hon^{rs}

The Burgeffes now in Affembly [See J. of H. of B., p. 345.]

Saturday December the 22^d 1711

Present

AS YESTERDAY
Ordered

That the Clerk of y^e Gen^l Affembly carry the following Meffage with the Book of Claims to the house of Burgeffes

M^r Speaker and Gent^{rs} of the House of Burgeffes

Upon confideration of your Meffage [See J. of H. of B., pp. 347-348.]

And then the Council adjourned till *Munday* morning 10 aclock

Munday December the 24th 1711

Present

THE Governour, Edmund Jenings, James Blair, Phillip Ludwell, John Smith and William Byrd Esq^{rs}

Ordered

That the Clerk of y^e Gen^l Affembly carry the following meffage from the Gov^r to the house of Burgeffes

M^r Speaker and Gent of the House of Burgeffes

When I Consider [See J. of H. of B., p. 349.]

And then the Council Adjourned till *Thurfday* the 24th of *January* next—

Thursday January the 24th 1711

Present

EDMUND JENINGS, James Blair, Philip Ludwell, Henry Duke, Jónⁱ Smith, John Lewis & William Byrd Esq^{rs}

The Council mett and according to their former Adjournment Adjourned till Tomorrow morning 10 a Clock

Friday January 25th 1711

Present

AS YESTERDAY

The Council mett and Adjourned till tomorrow morning 10 aclock

Saturday

Saturday January 26th 1711

Present

AS YESTERDAY

A message from the Burgeffes by Mr *Buckner* and others who brought the Book of Claims and acquainted the Council that the Burgeffes adhered to their last Message concerning the Claims and desire their Hon^{rs} to pass the said Book as it now stands

Ordered

That the book of Claims ly on the table

And then the Council Adjourned till *Munday* morning ten a Clock

Munday January y^e 28th 1711

Present

THE Governor, *Edmund Jenings, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis & W^m Byrd Esq^{rs}*

Ordered

That the Clerk of the General Assembly go to the House of Burgeffes and acquaint them that the Governor commands their immediate attendance on him in the Council Chamber

The House attending

The Governor made the following Speech

“Mr Speaker and Gentlemen of the House of Burgeffes

Seeing the short Representation [See J. of H. of B., pp. 352-355.]

And then the Council Adjourned till Tomorrow morning 10 a'clock

Tuesday January 29th 1711

Present

AS YESTERDAY

The Council mett and Adjourned till Tomorrow morning 10 a'clock.

Wednesday January 30th 1711

Present

EDMUND JENINGS, *James Blair, Robert Carter, Henry Duke, John Smith, John Lewis & William Byrd Esq^{rs}*

This day being the Anniverfary Fast for the murder of King *Charles the 1st*

The Council Adjourned till Tomorrow morning 10 a'clock

Thursday January 31st 1711

Present

THE Governor, *Edmund Jenings, Robert Carter, Henry Duke, John Smith, John Lewis & William Byrd Esq^{rs}*

Ordered

That the Clerk of the General Assembly go to the House of Burgeffes and acquaint them that the Governor commands their immediate attendance on him in the Council Chamber, and that they bring with them such Bills as are ready for his Assent.

The House attending

Mr

Mr *Speaker* addrested himself to the Governor as follows

May it please Your Hon^r

In Obedience to your commands her Majestys Loyal and dutifull Subjects the Burgeffes now attend Your Hon^r with severall bills agreed on by the hon^{ble} Council and themselves to receive Your Hon^{rs} Assent. And then the titles of the said bills being read were signed by the Governor and Speaker and are as follows viz^t

An Act directing the manner of granting probats of Wills and administration of Intestates Estates

An Act for building a Goal for Debtors to be committed to by the General Court

An Act to enable Frances Yeats of the County of Richmond to convey certain Lands lying in the said County to John Tayloe Gent in lieu of other Lands and Negros of greater value to be settled to the same uses.

An Act to enable John Cuftis and Frances his Wife to sell a Mill and divers Lands & Negros which are entailed on the said Frances by the last Will and testament of Daniel Park Esq^r decd for payment of the Debts and Legacys of the said Daniel.

And then the Governor made the following Speech

“Mr Speaker and Gentlemen of the House of Burgeffes

“I have now passed every matter during this Session which the Council in their Judgments and Consciences have thought proper to be offered me for my Assent, and even one bill wherein I yield up some of my own Right, which if her Majesty shall approve of I very willingly consent to, as believing it may be for the ease of the people. And if the Majority of your House had separated their private Advantages or prejudices from the publick Interest, I’m perswaded the just Claims of several of the People you represent had not now been rejected; nor would you have insisted on such improper measures as you have lately done for securing your Country.

“I expected you would in this dangerous Conjunction have applied your selves to ways and means for retrieving Assembly Credit and for preserving the peace and honour of her Majestys Government But seeing that instead thereof You are Resolved to spend your time in nothing but disagreeable intentions I must be so just to the People as to ease them of a Charge that in all Likelihood would prove more burthenfome than beneficial

“And therefore I do dissolve You & You are hereby Dissolved

Examined 

Wil Robertson Cl Gen Ass^t

AT A

GENERAL ASSEMBLY

begun & held at her Majesty's Royal Capitol the 22^d day of
October in the Eleventh year of the Reign of Our Sovereign
Lady *Anne* by the grace of God of *Great Brittain France* and
Ireland Queen Defender of the Faith &c. And in the year
of our Lord 1712

At a General Affembly begun & held at her Majesty's Royal Capitol the 22^d day of *October* in the Eleventh year of the Reign of Our Sovereign Lady *Anne* by the grace of God of *Great Brittain France and Ireland* Queen Defender of the Faith &c. And in the year of our Lord 1712

[*October* the 22nd, 1712.]

Present

THE hon^{ble} *Alexander Spotswood* Her Majesty's Liev^t Governor and Commander in Chief of the Colony and Dominion of *Virginia*, *Robert Carter*, *James Blair*, *Henry Duke*, *John Smith*, *William Byrd* & *William Fitzhugh* Esq^{rs}

James Blair, *John Smith* and *William Fitzhugh* Esq^{rs} being commiffioned by the Governor to adminifter the Oaths appointed by Law to the Burgeffes of this prefent General Affembly reported that they had accordingly adminiftred the faid Oaths to fourty nine of the Members returned to ferve in this Affembly, who are now mett in their Houfe.

Ordered

That the Clerk of the General Affembly go to the Houfe of Burgeffes and acquaint them that the Governor commands their imediate attendance on him in the Council Chamber.

The Burgeffes accordingly attending

The Governor was pleafed to fay as follows,

Gentlemen, I am very well pleafed to fee the Representatives of the people fo ready to meet me here on the day appointed; This feems to be the greateft appearance that has been on the firft day of an Affembly, I have nothing more to tell you at prefent than that You proceed to the Choice of a Speaker.

And then the Council Adjourned till Tomorrow morning ten aclock

Thursday October the 23^d 1712

Present

THE Hon^{ble} the Lievtenant Governor, *Robert Carter*, *John Custis*, *James Blair*, *Henry Duke*, *John Smith* & *William Fitzhugh* Esq^{rs}

A meffage from the Houfe of Burgeffes to the Governor by M^r *William Robinson* and others, that the Houfe had made choice of a Speaker, and waited the Governors commands when they fhall attend to prefent him

Ordered

That the Clerk of the General Affembly go to the Houfe of Burgeffes and acquaint them that the Governor commands their immediate attendance in the Council Chamber

William Byrd Esq^r Present

The Houfe of Burgeffes attending, *Peter Beverley* of the County of *Gloucefter* addreffed himfelf to the Governor to this Effect. That in obedience to his Hon^{rs} commands Yefterday the Houfe of Burgeffes had imediateley proceeded to the choice of a Speaker. That they had been pleafed to make choice of him for that Office, but that he was too fenfible of his own difabilitys, as not to think they had made that choice to difadvantage, and therefore fubmitted to his hon^r whether he would be pleafed to direct the houfe to make a new Election, Whereupon the Governor was pleafed to anfwer, M^r *Beverley*, I am fo fincerely difpofed to concurr with the Houfe of Burgeffes in every matter, which in juftice and confcience I may, that I cannot but approve of the choice they

they have made of You to be their Speaker. Then the Speaker in behalf of the whole House of Burgeffes prayed that the Burgeffes in their persons, Servants and Estates may be free from Arrests and other disturbances; That in all their debates they may have freedom of Speech, and (as occasion shall require) Access to the Governors person. And in behalf of himself, that none of his Failings or inadvertencies may redound to the prejudice of the House of Burgeffes or any Members thereof.

To which the Governor made Answer That all due Rights and priviledges belonging to that House should be confirmed and continued to them.

And then the Governor made the following Speech

Gentlemen of the Council and House of Burgeffes

I shall in a few words [See J. of H. of B., 1712-1726, p. 4.]

Then the Burgeffes withdrew

And the Council Adjourned till Tomorrow morning Ten a'clock.

Friday October the 24th 1712

present

ROBERT CARTER, *John Custis, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd & William Fitzhugh Esq^s*
The Council mett and
Adjourned till Tomorrow morning Ten a'clock

Saturday October the 25th 1712

Present

THE Governor, *Robert Carter, Philip Ludwell, Henry Duke, John Lewis & William Fitzhugh Esq^s*

A message from the House of Burgeffes to the Governor by M^r *William Robinson* and others that the House had prepared an Address to his Hon^r in answer to his Speech and had directed them humbly to present the same.

Then the said Address was read and is as follows

To the Hon^{ble} Alexander Spotwood Esq^r her Majestys Liev^t Governor of Virginia
May it please Your Honour

We her Majestys [See J. of H. of B., p. 8.]

John Custis and William Byrd Esq^s Present

Sundry Grievances and propositions from the County of *Norfolk* being read Upon consideration thereof

Resolved

That so much only of the said propositions and Grievances as are properly cognizable by the Gen^l Assembly be Referred to the consideration of the House of Burgeffes

The petition of *Peter Jones* Lievtenant of the Rangers in *Prince George* County in behalf of himself and the said Rangers

The petition of *Christopher Smith* Lievtenant of the Rangers in *King William* County praying allowance for his Service and

The petition of *James Adams* Interpreter to the *Pamunkey* and *Chicahominy* Indians praying Allowance of two years Sallary due to him

Were severally read and referred to the consideration of the House of Burgeffes

And then the Council Adjourned till *Munday* morning Ten a'clock.

Munday

Munday October the 27th 1712

Present

THE Governor, *James Blair, Philip Ludwell, Henry Duke, John Lewis, William Byrd & William Fitzhugh Esq^{rs}*

The petition of *Charles Kimball* praying Allowance for attending four times at *Williamsburgh* and interpreting to the *Saponie, Occoneechee & Stakanox* Indians, and that he may be appointed Interpreter to the said Indians for the future, with a suitable Sallary was Read, and

Ordered

That the said petition be referred to the consideration of the House of Burgeffes
And then the Council Adjourned till tomorrow morning ten a'clock.

Tuesday October the 28th 1712

present

JAMES BLAIR, *Philip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd & William Fitzhugh Esq^{rs}*

The Council mett and
Adjourned till Tomorrow morning ten a'clock.

Wednesday October the 29th 1712

present

THE same Council As Yesterday

The Council mett and Adjourned till Tomorrow morning ten a'clock.

Thursday October the 30th 1712

present

A

S YESTERDAY

The Council mett and Adjourned till Tomorrow morning ten a'clock

Friday October the 31st 1712

Present

THE Hon^{ble} the Lievtenant Governor, *Robert Carter, John Custis, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd and William Fitzhugh Esq^{rs}*

The petition of *Christopher Smith* Lievtenant of the Rangers for the County of *King William* praying Allowance for a Horfe killed in that Service Read and referred to the consideration of the House of Burgeffes.

And then the Council Adjourned till Tomorrow morning ten a'clock

Saturday November the 1st 1712

Present

THE Governor, *Robert Carter, John Custis, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd & William Fitzhugh Esq^{rs}*

Ordered

That the Clerk of the General Asssembly carry the following Message from the Governor to the House of Burgeffes

M^r Speaker and Gentlemen of the House of Burgeffes

Among the various meafures [See J. of H. of B., p. 15.]

And then the Council Adjourned till *Munday* morning Nine aclock.

Munday Novem^r 2^d [3^d] 1712

present

ROBERT CARTER, *John Custis, James Blair, Philip Ludwell, Henry Duke, John Smith, William Byrd & William Fitzhugh Esq^{rs}*

The Council mett and Adjourned till Tomorrow morning ten aclock.

Tuesday November the 4th 1712

Present

ROBERT CARTER, *John Custis, James Blair, Henry Duke, John Smith & William Fitzhugh Esq^{rs}*

The petition of M^r Secretary *Cocke* for the usual Allowance for iffuing out of his office twenty seven Writts for Election of Burgeffes to ferve in this Affemby

The petition of *Chichely Corbin Thacker* for his usual Allowance as Clerk of the Secretarys Office, and

The petition of *Bridget Menetree* praying Allowance for work done by *David Menetree* her deæd husband for the publick Service

Were severally Read and Referred to the confideration of the House of Burgeffes

And then the Council Adjourned till Tomorrow morning Ten aclock

Wednesday November the 5th 1712

present

ROBERT CARTER, *John Custis, James Blair, Philip Ludwell, Henry Duke, John Smith & William Fitzhugh Esq^{rs}*

A meffage from the Burgeffes by M^r *Holloway* and others who brought a bill Entituled *An Act to prevent trading with Indians* to which they desire the Councils concurrence.

A meffage to the Governer by M^r *Holloway* and others that they were commanded by the Houfe to attend his Hon^r with an Addrefs upon the Subject matter of his meffage on the 1st of *November*, and Also to acquaint him that fince the faid Addrefs was agre'd to by the Houfe they have been informed that the Indians in prifon are in want of neceffarys & Cloaths and desire his Hon^r to give fuch direætions therein for the prefervation of their Lives as he fhall think neceffary

Then the faid Addrefs was read as follows

To the hon^{ble} Alexander Spotswood her Majeftys Lieuten^t Governor of Virginia
May it please Your Hon^r

We her Majeftys [See J. of H. of B., p. 18.]

John Lewis Esq^r Present

A bill Entituled *An Act to prevent trading with Indians* Read the first time and Ordered a fecond Reading

And then the Council Adjourned till Tomorrow morning Ten Aclock

Thursday

Thursday November the 6th 1712

Present

ROBERT CARTER, *John Custis, James Blair, Henry Duke, John Smith, John Lewis, William Byrd and William Fitzhugh Esq^{rs}*

A bill Entituled *An Act to prevent trading with Indians* Read the second time and

The Question being put That the bill be read a third time

It passed in the Negative, And thereupon

Resolved

That the Bill be Rejected

Resolved

That a bill be prepared to prevent trading with Indians during the prohibitions laid or to be Laid by proclamations of the Government, And that M^r Commiffary *Blair William Byrd and William Fitzhugh Esq^{rs}* prepare and bring in the said Bill.

And then the Council Adjourned till Tomorrow morning Nine aclock

Friday November the 7th 1712

Present

THE Governor, *Robert Carter, John Custis, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd and William Fitzhugh Esq^{rs}*

A meffage to the Council by M^r *William Robinson* and others who brought a Bill Entituled *An Act to repeal An Act Entituled An Act* declaring the Negro Mulatto and Indian Slaves within this Dominion to be real Estate, *and to repeal a Clause in An Act Entituled An Act* for the distribution of intestates Estates, declaring Widows Rights to their deceased Husbands Estates and for securing Orphan's Estates, *Relating to the third part of the intestates Estate given to the Wife of the Intestate; And also to repeal a Clause in An Act Entituled An Act* declaring the manner of granting probates of Wills and Adminiftration of Intestates Estates *Relating to the delivery of Slaves to the person or persons to whom the same are declared to belong by the said Act Entituled An Act* declaring the Negro Mulatto and Indian Slaves within this Dominion to be real Estate *And also to declare what part of the Estate of persons hereafter dying intestate shall be given to the Wife of such Intestate.* To which they desire the Councils concurrence. Also that the Burgeffes had on the petition of M^r *Fredrick Jones* granted him Liberty to import certain Negro Slaves from *North Carolina* without paying the duty of five pound a head. To which they desire the Councils concurrence

Ordered

That the Clerk of the General Assembly carry the following Meffage from the Governor to the House of Burgeffes

M^r Speaker and Gentlemen of the House of Burgeffes

In answer to your Addrefs [See J. of H. of B., p. 21.]

M^r Commiffary *Blair* reported that the persons appointed had prepared a Bill to prohibite all Trade with the *Tuscaruro* & other Indians concerned in the late Massacre in *North Carolina*, and for the better regulating the Indian trade and the f^d Bill was received and read the first time and

Ordered a second Reading Tomorrow morning

A bill Entituled *An Act to repeal An Act Entituled An Act* declaring the Negro Mulatto and Indian Slaves within this Dominion to be real Estate, *And to repeal a Clause in An Act Entituled An Act* for the distribution of Intestates Estates declaring Widows Rights to their deceased Husbands Estates and for securing Orphans Estates, *relateing to the third part of the Intestates Estate given to the Wife of the Intestate; and also to repeal a Clause in an Act Entituled An Act* directing the manner of granting probats of Wills and Adminiftration of Intestates Estates, *relating to the delivery of*
Slaves

Slaves to the person or persons to whom the same are declared to belong by the said Act Entitled An Act declaring the Negro, Mulatto & Indian Slaves within this Dominion to be real Estate And also to declare what part of the Estate of persons hereafter dying Intestate shall be given to the Wife of such Intestate Was Read the first time and

Ordered a second Reading

The Resolve of the House of Burgeses upon the petition of *Fredrick Jones* being read
Resolved

That the Council do concur with the Burgeses that Leave be given the petitioner to import into this Colony three Negro Slaves exported from hence into *North Carolina* and four Negro children borne of one of the said Slaves and mentioned in the said petition without paying the duties imposed by the Law now in force.

Ordered

That the Clerk of the General Assembly carry the said Resolve to the House of Burgeses

And then the Council Adjourned till Tomorrow morning nine a'clock

Saturday November the 8th 1712

Present

ROBERT CARTER, *John Custis, James Blair, Henry Duke, John Smith, John Lewis and William Byrd Esq^{rs}*

A bill Entitled *An Act to prohibite all trade with the Tuscaruro and other Indians concerned in the late Massacre in North Carolina And for the better regulating the Indian trade* Read the second time and

Committed for Amendments

A message from the House of Burgeses to the Council by M^r Allerton and others who brought a bill Entitled *An Act to impower Surveyors of highways to take Trees to make or repair bridges and high ways* To which they desire the Council's concurrence.

And the said Bill was read the first time and

Ordered a second Reading

And then the Council Adjourned till Munday morning Nine a'clock

Munday November the 10th 1712

Present

ROBERT CARTER, *James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis and William Byrd Esq^{rs}*

A message from the Burgeses by M^r Holloway and others who brought a bill Entitled *An Act to prevent land Lapsing from Infants for not seating and planting or not paying Quittrents, untill three years after they come of age, to which they desire the Councils concurrence.*

A message from the Burgeses by M^r John Robinson and others who brought a Bill Entitled *An Act for making void certain proceedings of the Vestry of the parish of Christ Church in the County of Middlesex and for building a New Church in the said parish, to which they desire the Councils concurrence.*

A bill Entitled *An Act to prevent Land lapsing from Infants for not seating and planting or not paying Quittrents untill three years after they come of Age* Read the first time and

Ordered a second Reading

A bill Entitled *An Act for making Void certain proceedings of the Vestry of the parish of Christ Church in the County of Middlesex, and for building a new Church in the said parish* Read the first time and

Ordered

Ordered a Second Reading on *Fryday* next

Ordered

That the Veftry of *Chrift Church* be heard before the fecond reading of the faid Bill, and that they have notice to attend on *Friday* next

And then the Council Adjourned till Tomorrow morning Nine aclock

Tuesday November the 11th 1712

Present

ROBERT CARTER, *James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis & William Byrd* Elq^{rs}

A bill Entituled *An Act to repeal an Act Entituled An Act declaring the Negro Mulatto & Indian Slaves within this Dominion to be real Estate, and to repeal a Clause in an Act Entituled An Act for the diftribution of Inteftates Estates, declaring Widows Rights to their deceased Hufbands Estates and for fecuring Orphans Estates relateing to the third part of the Inteftates Estate given to the Wife of the Inteftate, and alfo to repeal a Clause in An Act Entituled An Act directing the manner of granting probates of Wills and Adminiftration of Inteftates Estates relateing to the delivery of Slaves to the perfon or perfons to whom the fame are declared to belong by the faid Act Entituled An Act declaring Negro Mulatto and Indian Slaves within this Dominion to be real Estate, And alfo declaring what part of the Estate of perfons hereafter dying Intestate fhall be given to the Wife of fuch Inteftate* Was read the fecond time.

And

The queftion being put that the faid Bill be read a third time

It paffed in the Negative

A bill Entituled *An Act to impower Surveyors of highways to take trees to make or repair Bridges and Highways* Read the fecond time and

Committed for Amendments

Refolved

That a bill be prepared purfuant to her Majeftys Inftructions concerning the Seating and planting of Lands, and

Ordered

That it be Referred to M^r Comiffary *Blair* and Coll^o *Philip Ludwell* to prepare and bring in the faid bill

And then the Council Adjourned till Tomorrow morning nine aclock

Wednesday November the 12th 1712

present

ROBERT CARTER, *James Blair, Philip Ludwell, Henry Duke, John Smith and John Lewis* Elq^{rs}

A bill Entituled *An Act to impower Surveyors of Highways to take trees to make or repair bridges and highways* Read the third time with the Amendments

Refolved

That the bill with the amendments do pafs

Ordered

That the Clerk of the General Affembly carry the faid Bill to the Burgeffes and acquaint them that the Council have paffed the fame with feveral amendments to which they defire the concurrence of that Houfe.

A bill Entituled *An Act to prohibite all trade with the Tufcaruro and other Indians concerned in the late Maffacre in North Carolina, and for the better regulating the Indian trade* Read the fecond time with the amendments

Ordered

That the bill with the amendments be engroffed

A bill being prepared pursuant to Yesterdays Resolve Entituled *An Act declaring what shall be accounted a sufficient Seating and planting of Lands hereafter to be taken up and patented* The same was read the first time and

Ordered a second Reading

And then the Council Adjourned till Tomorrow morning Ten oclock

Thursday November the 13th 1712

present

ROBERT CARTER, James Blair, Henry Duke, John Smith & John Lewis Esq^{rs}
A bill Entituled *An Act declaring what shall be accounted a sufficient seating and planting of Lands hereafter to be taken up and patented* Read the second time
Ordered

That the said bill be engrossed

Philip Ludwell Esq^r present

A message from the Burgeesses by Mr Holloway and others who brought the following bills *Viz*

A bill Entituled *An Act to continue an Act Entituled An Act for appointing Rangers and for encreasing their pay.* A bill Entituled *An Act for appointing Rowling houses and publick Landings* and a bill Entituled *An Act to enable William Manley Gent to sell & dispose of certain entailed Lands and tenements lying in the County of Westmoreland on settling other Lands and tenements lying in the said County, of which he is seized in fee to the same uses,* to which they desire the Councils concurrence. Mr Holloway also acquainted the Council that the Burgeesses had taken into consideration the amendments proposed by their Hon^{rs} to the bill Entituled *An Act to impower Surveyors of Highways to take trees to make or repair bridges and highways,* and that they had agreed to some of the said amendments, and to others had disagreed, and desire their Hon^{rs} to pass the said bill without those amendments to which the Burgeesses have disagreed.

A bill Entituled *An Act to continue an Act Entituled An Act for appointing Rangers, and for encreasing their pay* Read the first time and

Ordered a second Reading

A bill Entituled *An Act for appointing Rowling houses and publick Landings and for ascertaining the prices of Storeage* Read the first time and

Ordered a second Reading

A bill Entituled *An Act to enable William Manley Gent to sell and dispose of certain entailed Lands and tenements lying in the County of Westmoreland, on settling other Lands and tenements lying in the said County of which he is seized in fee to the same uses* Read the first time and

Ordered a second Reading

Present The Governor

A message to the Governor by Mr Eskridge and others who brought an Address from the Burgeesses in answer to his Hon^{rs} message of the first of this month which Address is as followeth

To the hon^{ble} Alexander Spotfwood her Majestys Lieutenant Governor of Virginia

May it please Yo^r Honour

We her Majestys most Loyal [See J. of H. of B., p. 24.]

Ordered

That the Clerk of the General Assembly go to the House of Burgeesses and command their immediate attendance on the Governor in the Council Chamber

The House attending, The Governor was pleased to make the following Speech
Gentlemen of the Council and House of Burgeesses

I am confident [See J. of H. of B., pp. 25-26.]

Then

Then the Burgeffes withdrew and The Address of the Assembly of *North Carolina* being Read

Ordered

That the Clerk of the Gen^l Assembly carry the same to the Burgeffes
And then the Council Adjourned till Tomorrow morning ten a'clock

Friday November the 14th 1712

Present

ROBERT CARTER, *James Blair, Philip Ludwell, Henry Duke, John Smith & John Lewis Esq^{rs}*

An ingrossed bill Entituled *An Act to prohibite all Trade with the Tuscaruro and other Indians concerned in the late Massacre in North Carolina and for the better regulating the Indian trade.* Read the third time

Resolved

That the bill do pass

Ordered

That the Clerk of the General Assembly carry the said Bill to the House of Burgeffes and desire their concurrence thereto

The Council proceeded to take into Consideration the Amendments to the bill Entituled *An Act to impower Surveyors of Highways to take trees to make or repair bridges and highways* to which the House of Burgeffes have disagreed, and thereupon

Resolved

That the Council do adhere to all their Amendments made to the said Bill

Ordered

That the Clerk of the General Assembly carry the said bill to the House of Burgeffes and acquaint them that the Council do adhere to their amendments, and desire the Burgeffes to pass the said bill as amended.

A bill Entituled *An Act to enable William Manley Gent to sell and dispose of certain entailed Lands and tenements lying in the County of Westmoreland on settling other Lands and tenements lying in the said County of which he is seized in fee to the same uses* Read the second time and committed for amendments.

A message from the House of Burgeffes to the Council by Mr *Holloway* and others that the Burgeffes desire a Conference with their Hon^{rs} upon the Subject matter of the Governors Speech Yesterday, and the Address of the Assembly of *North Carolina* mentioned in the said Speech

Resolved

That a Conference be agreed to according to the desire of the House of Burgeffes, and *Robert Carter, James Blair* and *Philip Ludwell* were appointed Managers for the said Conference.

Ordered

That the Clerk of the General Assembly go to the House of Burgeffes and acquaint them that the Council do agree to the Conference desired, and that they have appointed three of their members to manage the said Conference on their part who are now ready in the Conference room

Then the Council Adjourned during pleasure and the Managers went to the Conference.

AND being returned
The Council mett, and

Robert Carter Esq^r from the Conference with the Burgeffes reported the Subject matter thereof, together with the arguments they had used to induce the Burgeffes to assist *North Carolina*, and that the Conference was Adjourned for an hour for the Burgeffes to report to their House.

An

An engrossed bill Entituled *An Act declaring what shall be accounted a sufficient seating and planting of Lands hereafter to be taken up and patented* read the third time

Resolved

That the Bill do pass

Ordered

That the Clerk of the General Assembly carry the said bill to the Burgeffes and desire their concurrence thereto

The Amendments to the bill Entituled *An Act to prevent Land lapsing from Infants for not seating and planting or not paying Quitrents untill three years after they come of age* being twice read, The said bill with the Amendments was read the third time

Resolved

That the Bill do pass

Ordered

That the Clerk of the General Assembly carry the said bill to the House of Burgeffes and acquaint them that the Council have passed the same with some amendments, to which they desire the concurrence of that House.

A bill Entituled *An Act to continue an Act Entituled An Act for appointing Rangers and for encreasing their pay* Read the second time and

Ordered a third Reading

A bill Entituled *An Act for appointing Rowling houses and publick Landings, and for ascertaining the prices of Storeage* Read the second time and

Committed for amendments

The Council being informed that the Managers of the Burgeffes were again come to the Conference room

Then the Council Adjourned till Tomorrow morning ten a'clock

Saturday November the 15th 1712

present

ROBERT Carter, James Blair, Philip Ludwell, Henry Duke, John Smith and William Byrd Esq^{rs}

A bill Entituled *An Act to enable William Manley Gent to sell and dispose of certain entailed Lands and tenements lying in the County of Westmoreland on settling other Lands & tenements lying in the said County of which he is seized in fee to the same uses.* Read the third time with the Amendments

Resolved

That the bill do pass

Ordered

That the Clerk of the General Assembly carry the said bill to the Burgeffes, and desire their concurrence to the amendments made thereto

A bill Entituled *An Act for continuing an Act Entituled An Act for appointing Rangers and for increasing their pay* Read the third time

Resolved

That the Bill do pass

Ordered

That the Clerk of the General Assembly carry the said Bill to the House of Burgeffes and acquaint them that the Council have passed the same without amendment.

Robert Carter Esq^r reported the Subject matter of the Conference with the Burgeffes on the Governors Speech, and the Address of the Assembly of *North Carolina*.

A message from the House of Burgeffes to the Council by Mr *Buckner* and others that the House had passed the book of publick Claims, to which they desire the Councils concurrence

Then the Council proceeded to the consideration of the book of Claims, and part thereof was read.

A message from the House of Burgesses to the Council by Mr *Holloway* and others that the House had come to some Resolutions of Assistance to be given to *North Carolina*, and had ordered an Address to the Governor to be prepared thereupon, in which when prepared they will desire the Council to join

The Governor present

The Council being informed that some Gentlemen from the Vestry of *Christ Church* in *Middlesex* attended, they were called in, and at the Board presented to the Governor and Council a petition, subscribed by the Major part of the said Vestry, and also sundry orders of the Vestry for the building the several Churches mentioned in the bill sent up from the House of Burgesses for making void certain proceedings of the said Vestry, and being heard thereupon withdrew

Then the bill Entituled *An Act for making void certain proceedings of the Vestry of Christ Church in the County of Middlesex, and for building a new Church in the said parish* was read the second time

And the question being put That the bill be read a third time

It passed in the Negative

Ordered

That the said Bill ly on the Table

And then the Council Adjourned till *Munday* morning Nine a'clock.

Munday November 17th 1712

Present

ROBERT Carter, James Blair, Philip Ludwell, John Smith & William Byrd, Esq^{rs}

A message from the House of Burgesses to the Council by Mr *Holloway* and others that the Burgesses had agreed to the amendments prepared by their Hon^{rs} to the bill Entituled *An Act to prevent Lands lapsing from Infants for not seating and planting or not paying Quitrents untill three years after they come of age; and also to the amendments proposed to the bill Entituled An Act to enable William Manley Gent to sell and dispose of certain entailed Lands and Tenements lying in the County of Westmoreland, on settling other Lands and Tenements lying in the said County, of which he is seized in fee to the same uses*, And had inserted the said Amendments therein.

The said two bills with the amendments being examined

Ordered

That the Clerk of the General Assembly carry the same to the House of Burgesses and acquaint them that the Council are satisfied that the amendments are truly inserted, and have passed the Bills as amended.

A bill Entituled *An Act for appointing Rowling houses and publick Landings and for ascertaining the prices of Storage* being amended and the amendments twice read the said bill with the amendments was read the third time

Resolved

That the bill with the amendments do pass

Ordered

That the Clerk of the General Assembly carry the said bill to the House of Burgesses and acquaint them that the Council have made divers amendments thereto to which they desire the concurrence of that House.

Then the Council proceeded to the further consideration of the Book of Claims and part thereof was read

A message from the Burgesses to the Council by Mr *Holloway* and others that their House had agreed on an Address to the Governor in answer to his Speech the 13th instant and the Address and representation of the General Assembly of *North Carolina* therein mentioned, to which they desire their Hon^{rs} concurrence.

The

The Addrefs prepared by the Houfe of Burgeffes being read, Sundry amendments were made thereto

Ordered

That the Clerk of the General Affembly carry the faid Addrefs and amendments to the Houfe of Burgeffes and acquaint them that the Council defire their concurrence to the faid Amendments

And then the Council Adjourned till Tomorrow morning nine aclock

Tuesday November 18th 1712

Preſent

AS YESTERDAY

The book of Claims being read over, and fundry Obſervations made thereon

Ordered

That a meſſage be prepared to be ſent to the Burgeffes propoſing the ſeveral additions and amendments which the Council think fitt to be made in the book of publick Claims before they paſs it

A meſſage from the Houfe of Burgeffes to the Council by M^r *Holloway* and others that their Houfe had agreed to ſome of the Councils amendments to the Addrefs of the Governor, and to others had diſagreed, and had alſo made a further amendment to the 1^{ſt} Addrefs, and defire their Hon^{rs} to agree to the ſame as it is now amended

The Addrefs and amendments being read were agreed to, and

Ordered

That the Clerk of the General Affembly carry the faid Addrefs to the Houfe of Burgeffes and acquaint them that the Council do not inſiſt on ſuch of their amendments as that Houfe have diſagreed to, and that they do agree to the Addrefs as amended.

A meſſage from the Houfe of Burgeffes by M^r *Holloway* and others that the Houfe had infered the amendments agreed on in the Addrefs to the Governor.

Ordered

That the Clerk of the General Affembly return the faid Addrefs to the Houfe of Burgeffes to be fairly tranſcribed.

Ordered

That the Clerk of the General Affembly carry the following meſſage from the Council to the Houfe of Burgeffes

M^r Speaker and Gentlemen of the Houfe of Burgeffes

The Council being apprehenſive [See J. of H. of B., p. 30.]

A meſſage from the Burgeffes by M^r *Holloway* and others who brought the Addrefs fairly tranſcribed and ſigned by the Speaker, and left the ſame to be ſigned by the Council as they ſhall think fitt.

Ordered

That the faid Addrefs be ſigned by *Robert Carter Eſq^r* in behalf of the Council, And the ſame was ſigned accordingly.

Ordered

That the Clerk of the General Affembly return the faid Addrefs to the Houfe of Burgeffes, and acquaint them that as the faid Addrefs had the firſt Riſe in their Houfe The Council leave it to them to take the proper time for preſenting the ſame to the Governor

Preſent The Governor

A meſſage from the Burgeffes to the Governor by M^r *Holloway* and others that the Council and Burgeffes had agreed on an Addrefs to his Hon^r, in anſwer to his Speech the 13th inſtant and that they were commanded to wait on him to know his pleaſure when the Houfe ſhall attend him with the faid Addrefs

To

To which the Governor made Answer that he was now ready to receive their Address in the Council Chamber

The House of Burgeffes attending Mr *Speaker* read and presented to the Governor the Address of the Council and House of Burgeffes in the words following

To the hon^{ble} Alexander Spotswood her Majesty's Lieutenant Governor of Virginia

May it please Your Hon^r

We her Majesty's most dutifull [See J. of H. of B., p. 31.]

To which the Governor was pleased to make the following Answer

Gentlemen

I cannot but receive [See also p. 31.]

And then the Council Adjourned till Tomorrow morning Nine a'clock

Wednesday November the 19th 1712

Present

AS YESTERDAY

A message from the Burgeffes by Mr *Holloway* and others who brought the bill Entituled *An Act for appointing Rowling houses and publick Landings, and for ascertaining the prices of Storeage*, and acquainted the Council that the Burgeffes had agreed to all the amendments proposed by their Hon^{rs} to the said bill, and had inserted them therein; And also that the House had agreed to their Hon^{rs} message sent yesterday That in case the nine hundred yards of Duffells cannot be had, the same may be supplied by other course Woolens

The aforesaid Bill being Examined

Ordered

That the Clerk of the General Assembly return the said Bill to the House of Burgeffes and acquaint them that the Council are satisfied the amendments are truly inserted and have passed the Bill as amended.

Ordered

That the Clerk of the General Assembly carry the following message to the House of Burgeffes together with the Book of Claims

The Council having had [See J. of H. of B., pp. 33-34.]

[The last two paragraphs of the message as given in the Journal of the Council are as follows:]

Among the Allowances made in your House to the Officers attending the Assembly The Council cannot but take notice of an unusual abatement made from the Salary for reading Divine Service, last Session of Assembly, and the rather because it relates to one of their Members of whose readiness to perform his duty they are well satisfied, and if the Severity of the Weather for some few days together with the urgent business then depending did not permit the Members of your House to resort to the publick Worship (as usual) during that short time The Council cannot agree to any deduction on that Account And therefore propose that the said Article be amended according to the regulation made by the last House of Burgeffes.

Which additions and amendments being agreed to by your House The Council will be ready to pass the book of Claims.

And then the Council Adjourned till Tomorrow morning nine a'clock

Thursday November 20th 1712

present

AS YESTERDAY

The Council met and having nothing before them Adjourned till tomorrow morning ten a'clock

Friday

Friday November the 21st 1712

Present

AS YESTERDAY

A message from the Burgeffes to the Council by M^r *Buckner* and others who brought the Book of Claims with a written message relating thereto as followeth

May it please your Hon^{rs}

The Burgeffes have considered [See J. of H. of B., p. 35.]

Resolved

That a Conference be desired with the Burgeffes upon the Subject matter of their last message in Relation to the book of Claims.

A message from the Burgeffes by M^r *Holloway* and others that the House could not agree to the Conference desired by their Hon^{rs} on the Subject matter of their message in relation to the book of Claims; but if the Council desire a Conference on the last paragraph of that message they are willing to concede to it.

Ordered

That the Clerk of the General Assembly go to the House of Burgeffes and acquaint them that the Council desire an immediate Conference on the last paragraph of their message in relation to the book of Claims, and accordingly

M^r *Comiffary Blair* and *William Byrd Esq^r* were appointed Managers for the said Conference.

Then the Council Adjourned during pleasure and the Managers went to the Conference.

AND being Returned

The Council mett again, and

M^r *Comiffary Blair* reported the Subject matter of the said Conference.

A message by M^r *John Robinson* and others who brought the book of Claims amended according to what was proposed at the Conference.

Then the book of Claims was agreed to by the Council

A message from the Burgeffes by M^r *Holloway* and others who brought a bill Entituled *An Act for continuing an Act Entituled An Act for laying a duty on Liquors and Slaves, and for appropriating money sufficient to furnish nine hundred yards of Duffells, and one thousand pounds for the Service and Relief of North Carolina out of the said duty, and for appointing a Treasurer, and also a bill Entituled An Act for continuing an Act Entituled An Act for security and defence of the Country in times of danger, to which they desire the Council's concurrence.*

And the said bills were severally Read the first time, and

Ordered a second Reading

The Governor having signed his Assent to the book of Claims

Ordered

That the Clerk of the General Assembly carry the said book of Claims to the House of Burgeffes and acquaint them that the Council have agreed to the same, Also that they have obtained the Governors Assent thereto.

And then the Council Adjourned till Tomorrow morning ten a'clock.

Saturday

Saturday November the 22^d 1712

present

AS YESTERDAY

A bill Entituled *An Act for continuing An Act Entituled An Act for laying a duty on Liquors and Slaves and for appropriating money sufficient to furnish nine hundred yards of Duffells, and one Thousand pounds for the Service and relief of North Carolina out of the said duty, and for appointing a Treasurer* Read the second time

Ordered

That the Bill be read a third time.

A bill Entituled *An Act for continuing An Act Entituled An Act for Security and defence of the Country in times of Danger* Read the second time

Ordered

That the Bill be read a third time.

Present. The Governor

Ordered

That the Clerk of the General Assembly carry the following Message from the Governor to the House of Burgeffes

Mr Speaker and Gentlemen of the House of Burgeffes

As the House of Burgeffes in 1710 [See J. of H. of B., p. 37.]

And then the Council Adjourned till *Munday* morning ten a'clock.

Munday November the 24th 1712

present

JAMES Blair, Philip Ludwell, John Smith and William Byrd Esq^{rs}
A bill Entituled *An Act for continuing An Act for Security and defence of the Country in times of danger* Read the third time

Resolved

That the bill do pass

A bill Entituled *An Act for continuing An Act Entituled An Act for Laying a duty on Liquors and Slaves, and for appropriating money sufficient to furnish nine hundred yards of Duffells and one thousand pounds for the Service and Relief of North Carolina out of the said duty and for appointing a Treasurer* Read the third time

Resolved

That the bill do pass

Ordered

That the Clerk of the General Assembly carry the aforefaid two bills to the House of Burgeffes and acquaint them that the Council have passed the same without any amendment

And then the Council Adjourned till Tomorrow morning ten a'clock.

Tuesday November the 25th 1712

present

AS YESTERDAY

The Council mett and Adjourned till Tomorrow morning ten a'clock

Wednesday

Wednesday November 26th 1712

present

AS YESTERDAY

A meffage from the Houfe of Burgeffes to the Council by Mr *William Robinson* and others That the Houfe had paffed the Treafurers accounts, and defire their Hon^{rs} Concurrence thereto

Then the faid accounts were read and paffed by the Council

Ordered

That the faid accounts be laid before the Governor for his Affent and that then the Clerk of the General Affembly return the fame to the Houfe of Burgeffes.

Ordered

That it remain an Obfervation on the Journal that Coll^o *Gawin Corbin* Receiver of the dutys on Liquors and Slaves in the diftrict of *Rappahannock* from the 10th day of *December* 1710 to the 16th of *June* following hath rendered no account of the receipt of the faid dutys as by Law he ought to do.

Present The Governor

A meffage to the Governor by Mr *William Robinson* and others who brought the following Addrefs.

To the Hon^{ble} *Alexander Spotfwood* Her Majestys Lievtenant Governor of Virginia

May it please Your Hon^r

We her Majestys moft Loyal [See J. of H. of B., p. 38.]

And then the Council Adjourned till tomorrow morning ten aclock

Thursday November the 27th 1712

Present

AS YESTERDAY

A meffage from the Houfe of Burgeffes to the Council by Mr *John Robinson* and others That the Houfe had paffed the book of propofitions [proportions] of the publick Levy to which they defire the Councils concurrence

And the faid Book being perufed was agreed to by the Council and

Ordered to ly on the table for the Governor's Affent, and that then the Clerk of the General Affembly return the fame to the Burgeffes.

present The Governor

Ordered

That the Clerk of the General Affembly carry the following meffage from the Gov^r to the Houfe of Burgeffes

Mr Speaker and Gentlemen of the Houfe of Burgeffes

Your Addrefs prefented [See J. of H. of B., p. 39.]

And then the Council Adjourned till Tomorrow morning ten aclock.

Friday November the 28th 1712

present

THE fame as Yesterday

A meffage from the Houfe of Burgeffes to the Council by Mr *John Robinson* and others who brought a Refolve for appropriating the Sum of nine hundred pounds for finifhing the Governor's houfe, and alfo A bill Entituled *An Act Laying a publick Levy* to which they defire the Councils concurrence.

And the faid Refolve being read was agreed to, and is as follows

Resolved and accordingly Ordered

That for payment of the Debt due upon the Governors houfe, more than the money already appropriated will pay, and for finifhing the faid Houfe and the appurtenances to it belonging The fum of nine hundred pounds be appropriated out of the Fund that
shall

shall arise from the Act made this Session of Assembly Entitled *An Act for continuing an Act Entitled An Act for Laying a duty on Liquors and Slaves and for appropriating money sufficient to furnish nine hundred yards of Duffells and one thousand pounds for the Service and relief of North Carolina out of the said duty, and for appointing a Treasurer* And that the said nine hundred pounds be paid by the Treasurer of the said continued impositions for the time being upon Warrant of the Lieutenant Governor or the Governor or Commander in Chief of this Colony for the time being, next after the moneys which now are or hereafter shall during this Session be ordered to be paid out of the said Fund.

A bill Entitled *An Act for raising a publick Levy* Read the first time and Ordered a second Reading

Then the Council Adjourned for an hour

AND being mett
A bill Entitled *An Act for raising a publick Levy* Read the second time and Ordered a third Reading
Then the Council Adjourned for an hour

AND being mett
A bill Entitled *An Act for raising a publick Levy* Read the third time
Resolved
That the Bill do pass

Ordered

That the Clerk of the General Assembly carry the said Bill, together with the Resolve before mentioned to the House of Burgeffes, and acquaint them that the said bill is passed without amendment, and that the Council have agreed to the said Resolve.

Present The Governor

A message from the House of Burgeffes to the Council by Mr *John Robinson* and others who brought a Resolve, which being read was agreed to by the Council, and is as follows

Resolved and accordingly Ordered

That the several persons to whom money allowances are made in the book of Claims be paid their respective allowances out of the moneys that shall arise from the Acts laying impositions upon Liquors and Slaves, next after the money first appropriated for the Governor's house, and the money appropriated for *Bruton* parish Church, and for the prison shall be paid, and that the said payments be made in order following (To witt) the Allowances made to the Officers of the last Session of Assembly in the first place. The allowances made to the Officers of this Session of Assembly in the next place, And then the rest of the allowances in the order they stand in the said Book of Claims.

Then the Governor signed his Assent to the said Resolve.

Ordered

That the Clerk of the General Assembly carry the following message from the Governor to the House of Burgeffes.

Mr Speaker and Gentlemen of the House of Burgeffes

As nothing less than the Safety [See J. of H. of B., p. 41.]

And then the Council Adjourned till Tomorrow morning ten a'clock.

Saturday

Saturday November the 29th 1712

Present

AS YESTERDAY

A message from the Burgeffes to the Council by M^r *Holloway* and others who brought the inrolled bills passed this Session

And the said Bills being examined were Ordered to be returned to the Burgeffes

Present The Governor

A message from the Burgeffes by M^r *Nicholas Merriweather* and others who brought the following Address to the Governor

To the hon^{ble} Alexander Spotswood her Majestys Lievtenant Governor of Virginia

May it please Your Honour

We her Majestys most dutifull [See J. of H. of B., pp. 41-42.]

Ordered

That the Clerk of the General Assembly go to the House of Burgeffes and acquaint them that the Governor commands their immediate attendance in the Council chamber and that they bring with them such bills as are ready for his Assent.

The Burgeffes attending. M^r *Speaker* addressed himself to the Governor to this effect

In obedience to Your Hon^{rs} commands her Majestys Loyal and dutifull Subjects the Burgeffes do now attend your Hon^r with the bills agreed on this Session to receive Your assent.

Then the titles of the bills being read, the same were signed by the Governor and the Speaker and are as follow

[For the seven Acts enumerated, see J. of H. of B., p. 42, lines 34-39, transposing the third and fourth items.]

After which the Governor was pleased to say to this effect

Gentlemen

The end of your Meeting being now accomplished, I cannot but express my Satisfaction with the General proceedings of this Session, and since I perceive by your Address presented to me this day that you are impatient to be at your Homes. I shall not at present insist on my message of Yesterday nor detain you any longer in this cold Season; Wherefore I have thought fitt to prorogue this Generall Assembly to the seventh day of *May* next, and do not intend to give you the trouble of meeting then, unless some extraordinary Occasion of the Indians or otherwise shall require it.

Copia

Wil Robertson Cl Gen^l Assembly

AT A

GENERAL ASSEMBLY

begun at Her Majestys Royal Capitol the 22^d day of *October* 1712, and thence continued by several prorogations and there held the fifth day of *November* 1713, in the Twelfth Year of Her Majestys Reign.

At a General Affembly begun at Her Majeftys Royal Capitol
the 22^d day of *October* 1712, and thence continued by
feveral prorogations and there held the fifth day of *November*
1713, in the Twelfth Year of Her Majeftys Reign.

[*November* the 5th, 1713.]

Present

JAMES BLAIR, *John Smith, John Lewis, William Byrd, William Fitzhugh,*
William Cocke Esq^{rs}
The Council mett and
Adjourn'd till Tomorrow morning ten a'clock.

Friday November the 6th 1713.

present

THE Hon^{ble} the Lievtenant Governor, *James Blair, John Smith, John Lewis,*
William Byrd, William Fitzhugh & William Cocke Esq^{rs}
Ordered

That the Clerk of the General Affembly go to the Houfe of Burgeffes
and acquaint them that the Governor commands their immediate attendance on him
in the Council chamber.

The Houfe attending accordingly

The Governor was pleased to make the following Speech

Gentlemen of the Council and House of Burgeffes

Peace ever comes [See J. of H. of B., 1712-1726, pp. 47-48.]

And then the Burgeffes withdrew.

A meffage from the Burgeffes to the Governor by M^r *Armistead* and others defiring
that a New Writt may iffue for Election of a Burgefs to ferve in this Affembly for the
County of *Warwick* in the room of M^r *William Cary* deceafed, And alfo a Writt for
electing a Burgefs for *Effex* County in the room of M^r *Francis Merriwether* deceas'd

And then the Council Adjourned till Tomorrow morning ten a'clock

Saturday November the 7th 1713

present

THE Governor, *James Blair, John Smith, John Lewis, William Byrd, William*
Fitzhugh, William Cocke Esq^{rs}

A meffage from the Burgeffes to the Council by M^r *Holloway* and others

That the Houfe had refolved to addrefs her Majefty upon the Peace, and
defire the Council to concurr with them therein; And if their Honours agree thereto,
that they will appoint fuch of their Members as they think fitt to joine with the Burgeffes
in preparing the faid Addrefs.

Refolved

That the Council do agree to joine with the Burgeffes in an Addrefs to congratulate
her Majefty on the Peace, and that *William Byrd* and *William Cocke Esq^{rs}* be appointed

a Committee to meet the Burgeffes in preparing the faid Addrefs on *Munday* next at three aclock in the Afternoon.

Ordered

That the Clerk of the General Affembly go to the Houfe of Burgeffes, and acquaint them that the Council have agreed to joine with their Houfe in addreffing her Majefty on the Peace, and that they have accordingly appointed two of their Members to meet fuch of their Houfe as they fhall appoint for preparing the faid Addrefs on *Munday* next, at three aclock in the Afternoon.

The petition of *Philip Jones* and *Margarett Jones* praying an Allowance of Fourty pounds for killing two *Tufcaruro* Indians Was read and

Referred to the confideration of the Houfe of Burgeffes.

And then the Council Adjourned till *Munday* morning ten aclock.

Munday November y^e 19th [9th] 1713

prefent

JAMES BLAIR, *Henry Duke, John Smith, John Lewis, William Byrd, William Fitzhugh* and *William Cocke Esq^{rs}*

The Council mett and

Adjourned till Tomorrow morning ten aclock

Tuesday November the 10th 1713

Present

THE Governor, *James Blair, Henry Duke, John Smith, John Lewis, William Byrd, William Fitzhugh & William Cocke Esq^{rs}*

The petition of *James Adams* Interpreter to the *Pamunkey & Chichominy* Indians praying allowance for his faid Service, and

The petition of *Christopher Smith* Lievtenant of the Rangers for *King William* County praying his ufual Allowance for the faid Service

Were feverally Read and Referred to the confideration of the Houfe of Burgeffes
And then the Council Adjourned till Tomorrow morning ten aclock

Wednesday November the 11th 1713

Present

AS YESTERDAY

The petition of *Henry Briggs* Interpreter to the Southern Indians, praying his ufual Sallary and allowance for extraordinary Services.

The petition of *William Cocke Esq^r* Secretary of this Colony praying Allowance for three Writts iffued for election of Burgeffes, and

The petition of *Chichely Corbin Thacker* praying his ufual Allowance as Clerk of the Secretary's Office Were feverally Read and

Referred to the confideration of the Houfe of Burgeffes.

A meffage from the Burgeffes to the Council by *Mr Holloway* and others who brought an Addrefs to her Majefty prepared by the Conferees of the Council and Burgeffes, and acquainted the Council that the Burgeffes have read and approved the Draught of the faid Addrefs, and defire the Council's concurrence thereto.

Then the faid Addrefs was read, and an Amendment being made thereto

Ordered

That the Clerk of the General Affembly carry the faid Addrefs to the Houfe of Burgeffes and acquaint them that the Council have agreed to the fame with an Amendment, to which they defire the concurrence of that Houfe.

A message to the Council by Mr *Holloway* and others That the House had agreed to the Amendments proposed to the Address to her Majesty, And that the House had resolved that the same be Signed by every Member of the House, and desire to know in what manner the Council will sign the same.

Resolved

That the said Address be signed by every Member of the Council.

Ordered

That the Clerk of the General Assembly go to the House of Burgesses and acquaint them That the Council have agreed that the Address to her Majesty be signed by all their Members, and desire the House to send up the said Address when fairly transcribed, in order to their signing it as aforesaid.

And then the Council Adjourned till Tomorrow morning ten a'clock

Thursday November the 12th 1713

Present

AS YESTERDAY

The Council mett and

Adjourned till Tomorrow morning ten a'clock.

Friday November the 13th 1713

Present

THE Governor, *James Blair, Henry Duke, John Smith, William Byrd, William Fitzhugh & William Cocke Esq^{rs}*

A message from the Burgesses to the Council by Mr *Holloway* and others who brought a fair Transcript of the Address agreed on by the Council and Burgesses to her Majesty for the Council's Signing.

Then the said Address to her Majesty was signed by all the Council, and is as follows.

To the Queen's Most Excell^t Majesty.

The humble Address of the Council & Burgesses of Virginia

May it please Your Majesty

We Your Majesty's most dutifull and loyal [See J. of H. of B., pp. 52-53.]

A message to the Governor by Mr *Eskridge* and others That the House had prepared an Address to his Hon^r and desire to know when they shall attend his Hon^r to present their said Address.

Whereupon the Governor was pleased to appoint Tomorrow at eleven a'clock in the forenoon in the Council Chamber for receiving the said Address.

A Message from the Burgesses to the Council by Mr *William Robinson* and others who brought a bill Entituled *An Act for dividing St Marys parish*, And the said Bill was read the first time and

Ordered a second Reading

And then the Council Adjourned till Tomorrow morning ten a'clock

Saturday November the 14th 1713

Present

THE Governor, *James Blair, Henry Duke, John Smith, William Byrd and William Fitzhugh Esq^{rs}*

The House of Burgesses (according to the Governors appointment) attending in the Council Chamber presented an Address to his Hon^r in the following Words

To

To the Hon^{ble} Alexander Spotswood Her Majesties Lieutenant Governor of Virginia
The humble Address of the House of Burgeffes.
May it please Your Honour.

We her Majestys most dutifull [See J. of H. of B., pp. 54-55.]
To which the Governor was pleased to make Answer as follows.

Mr Speaker and Gentlemen of the House of Burgeffes.

I heartily thank you [See J. of H. of B., p. 55.]

William Cocke Esq^r Present

A bill Entituled *An Act for dividing St Marys parish* read the second time and committed for amendments.

A message from the Burgeffes to the Council by Mr Waller and others who brought a Bill Entituled *An Act for reviving and continuing An Act Entituled An Act for prohibiting Seamen being harboured or entertained on shore*, And also a Bill Entituled *An Act to continue An Act Entituled An Act for supply of certain Defects found in An Act prescribing the method for appointing Sherifs*, to which they desire the Councils concurrence.

And the said Bills were read the first time and

Ordered a second Reading

And then the Council Adjourned till Munday morning ten a'clock

Munday November 16th 1713

Present

JAMES BLAIR, Henry Duke, John Smith, William Fitzhugh & William Cocke Esq^{rs}

Mr Commiffary Blair and Mr Secretary Cocke, are appointed in Conjunction with such a Number of Burgeffes as shall be directed by that House to wait on the Governor with the Address to her Majesty, and to request his favour in transmitting thereof to her Majesty's hands.

William Byrd Esq^r Present

A bill Entituled *An Act for reviving and continuing An Act Entituled An Act prohibiting Seamen being harboured or entertained on shore* read the second time and Committed for Amendments

A bill Entituled *An Act to continue An Act Entituled An Act for Supply of certain Defects found in An Act prescribing the method for appointing Sherifs*—Read the second time and

Ordered a third Reading

And then the Council Adjourned till Tomorrow morning ten a'clock.

Tuesday November the 17th 1713.

Present

AS YESTERDAY

A message to the Council by Mr Waller and others who brought a Bill Entituled *An Act for the regulation and settlement of Ferrys and for dispatch of publick Expresses*, to which they desire the Councils concurrence.

And the said Bill was Read the first time and

Ordered a second Reading

A bill Entituled *An Act to continue An Act Entituled An Act for Supply of certain defects found in An Act prescribing the method for appointing Sherifs*, Read the third time

Resolved

That the bill do pass.

Ordered

That the Clerk of the General Assembly carry the 1st Bill to the Burgeffes, and acquaint them that the Council have passed the same without any Amendment.

And then the Council Adjourned till Tomorrow morning ten a'clock.

Wednesday

Wednesday November the 18th 1713

Present

JAMES BLAIR, Henry Duke, John Smith, John Lewis, William Byrd, William Fitzhugh & William Cocke Esq^{rs}

A Bill Entituled *An Act for continuing An Act Entituled An Act for the regulation and Settlement of Ferrys, and for dispatch of publick Expreffes*, Read the second time and

Committed for amendments.

And then the Council Adjourned till Tomorrow morning ten a'clock.

Thursday November the 19th 1713

Present

THE Governor, Robert Carter, James Blair, Henry Duke, John Smith, John Lewis, William Byrd, William Fitzhugh, William Cocke Esq^{rs}

A bill Entituled *An Act for reviving and continuing An Act Entituled An Act prohibiting Seamen being harboured or entertained on shore* Read the third time with the Amendments

Resolved

That the Bill with the Amendments do pass

A bill Entituled *An Act for continuing An Act Entituled An Act for the Regulation and Settlement of Ferrys, and for dispatch of publick Expreffes*, Read the third time with the Amendments.

Resolved

That the Bill with the Amendments do pass.

Ordered

That the Clerk of the General Assembly carry the said two bills to the House of Burgeffes, and acquaint them that the Council have passed the same with several Amendments, to which they desire the concurrence of that House.

A Message to the Council by Mr Waller and others that the Burgeffes had agreed to the Amendments proposed by the Council to the Bill Entituled *An Act for reviving and continuing An Act prohibiting Seamen being harboured or entertained on shore*; And to the Bill Entituled *An Act for continuing An Act Entituled An Act for the Regulation and Settlement of Ferrys, and for dispatch of publick Expreffes*, and had inserted them therein.

And then the Council Adjourned till Tomorrow morning ten a'clock.

Friday November the 20th 1713.

present

AS YESTERDAY

The Council mett and Adjourned till Tomorrow Morning ten a'clock.

Saturday November the 21st 1713.

Present

ROBERT CARTER, James Blair, Henry Duke, John Smith, John Lewis, William Byrd and William Cocke Esq^{rs}

A Message from the Burgeffes to the Council by Mr Holloway and others, who brought a Bill Entituled *An Act to restrain the keeping too great a number of Horses and Mares* to which they desire the Council's concurrence. And the said Bill was Read the first time and

Ordered a Second Reading

And then the Council Adjourned till Munday morning ten a'clock.

Munday

Munday November the 23^d 1713

Present

ROBERT CARTER, James Blair, Henry Duke, John Smith, William Byrd,
William Cocke Esq^{rs}
The Council mett and Adjourned till Tomorrow Morning ten a'clock

Tuesday November 24th 1713.

present

AS YESTERDAY

A Message from the Burgeesses to the Council by Mr Waller and others who brought a Bill Entituled *An Act to enable William Smith Gent to sell and dispose of certain entailed Lands and Tenements lying in the County of New Kent, on settling other Lands and tenements lying in King William County, of which he is seized in fee to the same uses.* to which they desire the Councils concurrence.

And the said Bill was read the first time, and

Ordered a Second Reading

And then the Council Adjourned till Tomorrow morning ten a'clock.

Wednesday November the 25th 1713.

Present

THE Governor, Robert Carter, James Blair, Henry Duke, John Smith, William Byrd, William Cocke Esq^{rs}

A bill Entituled *An Act to restrain the keeping too great a number of horses and Mares* Read the second time, and

Committed for amendments

A bill Entituled *An Act to enable William Smith Gent to sell and dispose of certain Entailed Lands and Tenements lying in the County of New Kent, on settling other Lands and tenements lying in King William County, of which he is seized in fee to the same uses,* Read the second time, and

Committed for Amendments.

And then the Council Adjourned till Tomorrow morning ten a'clock

Thursday November the 26th 1713

Present

ROBERT CARTER, James Blair, Henry Duke, John Smith, John Lewis, William Byrd & William Cocke Esq^{rs}

A bill Entituled *An Act to enable William Smith Gent to sell and dispose of certain entailed Lands and tenements lying in the County of New Kent, on settling other Lands and tenements lying in King William County, of which he is seized in fee, to the same uses* Read the third time with the amendments

Resolved

That the bill with the amendments do pass

Ordered

That the Clerk of the General Assembly carry the said bill to the House of Burgeesses and acquaint them that the Council have passed the same with some Amendments, to which they desire the concurrence of that House.

And then the Council Adjourned till Tomorrow morning ten a'clock

Friday

Friday November the 27th 1713

Present

A S BEFORE

A Message from the Burgeffes to the Council by Mr *Holloway* and others who brought a bill Entituled *An Act for preventing Frauds in Tobacco payments, and for the better improving the Staple of Tobacco*, to which they desire the Council's concurrence.

A bill Entituled *An Act to restrain the keeping too great a number of horses and Mares* read the third time with the Amendments

Resolved

That the bill with the Amendments do pass

Ordered

That the Clerk of the General Assembly carry the said Bill to the Burgeffes and acquaint them that the Council have passed the same with several Amendments, to which they desire the concurrence of that House.

A bill Entituled *An Act for preventing Frauds in tobacco payments, and for the better improving the Staple of Tobacco*, Read the first time, and

Ordered to be read a second time on *Munday* next

And then the Council Adjourned till Tomorrow morning ten a'clock

Saturday November the 28th 1713

present

A S YESTERDAY

The Council mett and

Adjourned till *Munday* morning ten a'clock

Munday November the 30th 1713

Present

THE Governor, *Robert Carter, James Blair, Henry Duke, John Smith, John Lewis, William Byrd Esq^r*

A bill Entituled *An Act for preventing Frauds in Tobacco payments, and for the better improving the Staple of Tobacco*, Read the second time, And The Council having spent some time in the Consideration thereof

Ordered

That the further consideration of the said Bill be referred till Tomorrow morning.

A Message from the Burgeffes to the Council by Mr *Holloway* and others That the Burgeffes have agreed to the Amendments proposed by the Council to the Bill Entituled *An Act to enable William Smith Gent to sell and dispose of certain entailed Lands and tenements lying in the County of New Kent, on settling other Lands and tenements lying in King William County of which he is seized in fee to the same uses*, and have inserted them therein; That they have also agreed to some of the Amendments proposed by the Council to the Bill Entituled *An Act to restrain the keeping too great a number of horses, and Mares*; to others have disagreed, and that they have proposed an Amendment of their own, and desire that the Council will not insist on such of their Amendments, to which that House have disagreed, and that they will pass the Bill according to the Amendments agreed unto by that House.

A Message to the Governor by Mr *Holloway* and others That the House of Burgeffes had delayed the consideration of that part of his Hon^rs Speech relating to the Frontiers in expectation of the Arrival of the *Tuscaruro* Indians; but finding they are not yet come in, and the House having little business before them They desire to know his Hon^r's pleasure, how they shall proceed.

To which the Governor was pleased to say That he would send the House an Answer And then the Council Adjourned till Tomorrow morning ten a'clock

Tuesday

Tuesday December the 1st 1713.

Present

AS YESTERDAY.
Ordered

That the Clerk of the General Assembly carry the following Message from the Governor to the House of Burgeffes.

Mr Speaker and Gentlemen of the House of Burgeffes.

At the opening of this Session [See J. of H. of B., pp. 63-64.]

A bill Entituled *An Act for dividing St Mary's parish*. Read the third time with the Amendments

Resolved

That the Bill with the Amendments do pass.

Ordered

That the Clerk of the General Assembly carry the said Bill to the Burgeffes, and acquaint them that the Council have passed the same with several Amendm^{ts} to which they desire the concurrence of that House.

And then the Council Adjourned till tomorrow morning ten a'clock

Wednesday December the 2^d 1713.

Present

THE Governor, *Robert Carter, James Blair, Henry Duke, John Smith, John Lewis, William Byrd, William Cocke Esq^r*

A message from the Burgeffes to the Council by Mr *Holloway* and others, who brought a Bill Entituled *An Act to impower John Holloway and John Clayton Gent to receive of the Trustees for the City of Williamfburgh and of all other persons whatsoever all moneys by them received for Lotts of Land, and otherwise for the benefite of the said City, and the Sum of two hundred and one pounds nine shillings and nine pence of Robert Carter Esquire, and to apply such moneys to certain uses*, to which they desire the Councils concurrence.

And the said Bill was read the first time, and

Ordered a second Reading.

Ordered

That the Clerk of the General Assembly carry the following Message from the Governor to the House of Burgeffes.

Mr Speaker and Gentlemen of the House of Burgeffes.

I am commanded [See J. of H. of B., pp. 64-65.]

Ordered

That the Clerk of the General Assembly go to the House of Burgeffes and acquaint them that the Council having under consideration the Bill sent up from that House for preventing frauds in Tobacco payments, and for the better improving the Staple of Tobacco, and finding therein some Clauses, of the meaning of which they are desirous to be more clearly satisfied, and that there are other parts of the bill to which they intend to propose some Amendments, Therefore in order to the well finishing a Bill of so great a benefite to the Country, The Council desire a free Conference with that House upon the Subject matter of the said Bill

A Message from the Burgeffes to the Council by Mr *Holloway* and others That the Burgeffes have agreed to the free Conference desired by their Hon^{rs} on the Subject matter of the Bill for preventing Frauds in tobacco payments, and for the better improving the Staple of Tobacco.

Resolved

That *Robert Carter Esq^r* Mr Commiffary *Blair* and *William Byrd Esq^r* be appointed Managers for the Council, to meet such a number of the Burgeffes as they shall appoint to manage the said Conference on the part of that House.

Ordered

Ordered.

That the Clerk of the General Affembly go to the Houfe of Burgeffes and acquaint them that the Council have appointed three of their Members, who will be ready in the Conference room Tomorrow at twelve aclock to meet fuch a number of the Burgeffes as that Houfe fhall think fitt to manage the faid Conference on their behalf

And then the Council Adjourned till Tomorrow morning ten aclock.

Thursday December the 3^d 1713

Present

AS YESTERDAY

The Council being informed that the Managers for the Burgeffes were come to the Conference room, The Managers for the Council went to the Conference

And then the Council Adjourned till Tomorrow morning ten aclock.

Friday December the 4th 1713

Present

ROBERT CARTER, *James Blair, Henry Duke, John Smith, John Lewis, William Byrd & William Cocke Esq^{rs}*

A Meffage to the Council by M^r *Eskridge* and others who brought the book of publick Claims paffed their Houfe, to which they defire the Council's concurrence.

A Meffage from the Burgeffes to the Council by M^r *William Robinson* and others who brought a Bill Entituled *An Act for dividing St Marys parifh*, and acquainted the Council that the Burgeffes have agreed to the Amendments propofed by their Hon^{rs} to the faid Bill, and had inferted them therein.

The Council having confidered the Amendments propofed by the Burgeffes to the Bill Entituled *An Act to refrain the keeping too great a number of Horfes and Mares*, agreed to fome of the Amendments propofed by the Burgeffes and to others difagreed, and refolved to infert on fome of their Amendments, and to propofe a New Amendment to the faid Bill

Ordered

That the Clerk of the General Affembly carry the faid Bill to the Burgeffes and acquaint them therewith.

A Meffage from the Burgeffes to the Council by M^r *Holloway* and others, acquainting the Council that upon confideration of the Report of the free Conference upon the Bill for preventing Frauds in tobacco payments and for the better improving the Staple of tobacco The Houfe had agreed to feveral of the Amendments propofed by their Hon^{rs}, to others had difagreed and had alfo propofed an Amendment of their own, and that they give Leave that the Amendments, as they are agreed on, be inferted in the Bill. M^r *Holloway* alfo prefented a Bill Entituled *An Act for continuing an Act for appointing Rangers, and An Act to continue An Act for appointing Rangers, and for increafing their pay, and alfo to impower the Lievtenant Governor to difband the Rangers, and to apply the pay appropriated for them to any other ufe he fhall think fitt for the better Security of the Frontiers* and defired the Councils concurrence thereto.

And then the Council Adjourned till Tomorrow morning ten aclock.

Saturday

Saturday December the 5th 1713.

Present

AS YESTERDAY

A Bill Entituled *An Act for continuing An Act for appointing Rangers and An Act to continue An Act for appointing Rangers and for increafing their pay, and alfo to impower the Lieutenant Governor to difband the Rangers, and to apply the pay appropriated for them to any other ufe he fhall think fitt for the better Security of the Frontiers* Read the firft time, and

Ordered a fecond Reading

A meffage from the Burgeffes to the Council by M^r *Eskridge* and others who brought the Bill to refrain the keeping too great a number of horfes and Mares, and acquainted the Council that the Houfe had agreed to the Amendments propofed thereto, and had inferted them in the faid Bill.

The Council took into confideration the Amendments to the Bill for preventing Frauds in Tobacco payments, and for the better improving the Staple of Tobacco, And thereupon

Resolved

That the Council do recede from fuch of the f^d Amendments as are difagreed unto by the Burgeffes, and that they will agree to the Amendments propofed by that Houfe, and

Ordered

That the Amendments be inferted in the faid Bill, and that it be read a third time on *Munday* next.

And then the Council Adjourned till *Munday* morning ten aclock.

Munday December the 7th 1713

Present

THE Governor, *Robert Carter, James Blair, Henry Duke, John Smith, John Lewis, William Byrd Esq^r*

A bill Entituled *An Act for preventing Frauds in Tobacco payments, and for the better improving the Staple of Tobacco* Read the third time with the Amendments

Resolved

That the Bill with the Amendments do pafs.

Ordered

That the Clerk of the General Affembly carry the faid Bill to the Burgeffes, and acquaint them that the Council have paffed the fame as amended.

A Meffage from the Burgeffes to the Council by M^r *Holloway* and others who brought a Bill Entituled *An Act for Regiftring Births Chriftnings and Burials*, to which they defire the Councils concurrence

The Book of publick Claims being Read, and fome Amendments made thereto by the Council

Ordered

That the Clerk of the General Affembly carry the faid Book to the Houfe of Burgeffes, and acquaint them that the Council have made fome Amendments thereto, to which they defire the concurrence of that houfe.

A bill Entituled *An Act for regiftring Births Chriftnings and Burials* read the firft time and

Ordered a fecond Reading

A bill Entituled *An Act for continuing An Act Entituled An Act for appointing Rangers, and An Act to continue An Act for appointing Rangers, and for increafing their pay, and alfo to impower the Lieutenant Governor to difband the Rangers, and to apply the pay appropriated for them to any other ufe, he fhall think fitt for the better Security of the Frontiers* Read a fecond time & Ordered a third Reading

And then the Council Adjourned till Tomorrow morning ten aclock

Tuesday December the 8th 1713

Present

A S YESTERDAY

Ordered

That the Clerk of the General Affembly carry the following Meffage from the Governor to the Houfe of Burgeffes

Mr Speaker and Gentlemen of the Houfe of Burgeffes

I have now Ordered [See J. of H. of B., p. 69.]

A bill Entituled *An Act for continuing An Act for appointing Rangers and an Act to continue An Act for appointing Rangers and for increafing their pay, and alfo to impower the Lieutenant Governor to difband the Rangers and to apply the pay appropriated for them to any other ufe, he fhall think fitt for the better Security of the Frontiers*, Read the third time

Resolved

That the bill do pafs

Ordered

That the Clerk of the General Affembly carry the faid Bill to the Burgeffes, and acquaint them that the Council have paffed the fame without any Amendment

A bill Entituled *An Act for Regiftring Births, Chriftnings and Burials* Read the fecond time and

Committed for Amendments

William Cocke Esq^r Present

A Meffage from the Burgeffes to the Council by *Mr Holloway* and others who brought a Bill Entituled *An Act declaring what fhall be accounted a fufficient Seating and planting of Lands already granted or hereafter to be taken up and patented*, to which they defire the Council's concurrence.

A Meffage from the Burgeffes to the Council by *Mr Eskridge* and others who brought the Book of Claims, and acquainted the Council that the Houfe have agreed to the Allowances propofed by their Hon^{rs} to be made in the faid Book of Claims, and that the fame are entered in the 1^d Book

And the fame being examined

Ordered

That the Clerk of the General Affembly carry the faid book to the Burgeffes and acquaint them that the Council are fatisfyed the faid Allowances are truly inferted, and that they have paffed the fame accordingly.

And then the Council Adjourned till Tomorrow morning ten aclock.

Wednesday December the 9th 1713

Present

ROBERT CARTER, *James Blair, Henry Duke, John Smith, John Lewis Esq^{rs}*

A bill Entituled *An Act declaring what fhall be accounted a Sufficient Seating and planting of Lands already granted, or hereafter to be taken up and patented*

Read the frft time and

Ordered a fecond Reading

A

A bill Entituled *An Act for registring Births Christnings and Burials* Read the third time with the Amendments

Resolved

That the bill with the Amendments do pass

Ordered

That the Clerk of the General Assembly carry the said Bill to the Burgeesses and acquaint them that the Council have made some Amendments thereto, to which they desire the concurrence of that House.

A bill Entituled *An Act to impower John Holloway and John Clayton Gent to receive of the Trustees for the City of Williamfburgh, and of all other persons whatsoever, all moneys by them recieved for Lotts of Land and otherwise for the benefite of the said City, and the Sum of two hundred and one pounds nine shillings and nine pence of Robert Carter Esq^r and to apply such Moneys to certain uses*, Read the second time, and

Committed for Amendments.

And then the Council Adjourned till Tomorrow morning ten a'clock.

Thursday December the 10th 1713

Present

ROBERT CARTER, James Blair, Henry Duke, John Smith, John Lewis, William Cocke Esq^{rs}

A message from the House of Burgeesses to the Council by M^r Holloway and others That the House had prepared a Clause to be added to the Bill to impower *John Holloway and John Clayton Gent* to recieve of the Trustees for the City of *Williamfburgh*, and of all other persons whatsoever all moneys by them recieved for Lotts of Land, and otherwise for the benefite of the said City, and the Sum of two hundred and one pounds nine shillings and nine pence of *Robert Carter Esquire*, and to apply such moneys to certain uses, to which they desire the Council's concurrence; and that if their Hon^{rs} do agree thereto, the same may be added as an Amendment to the Bill, and the Title made conformable thereto.

A message from the House of Burgeesses to the Council by M^r Soane and others, who brought the Book of Proportions of the publick Levy, to which they desire the Council's concurrence.

And the said Book being read, Was agreed unto by the Council, and

Ordered

That the Clerk of the General Assembly wait on the Governor for his Assent thereto, and then return the same to the House of Burgeesses.

Then the Clause propofed by the Burgeesses to be added to the Bill Entituled *An Act to impower John Holloway and John Clayton Gent to recieve of the Trustees for the City of Williamfburgh, and of all other persons whatsoever all moneys by them recieved for Lotts of Land and otherwise for the benefite of the said City, and the Sum of two hundred and one pounds nine shillings and nine pence of Robert Carter Esquire, and to apply such moneys to certain uses* being read, and agreed to and other Amendments made by the Council, The 1st Bill was read a third time

Resolved

That the bill do pass.

Ordered

That the Clerk of the General Assembly carry the said bill to the Burgeesses and acquaint them that the Council have agreed to the Clause propofed by the Burgeesses to be added thereto, and have made some Amendments of their own to the said Bill, to which they desire the concurrence of that House.

A bill Entituled *An Act declaring what shall be accounted a sufficient Seating and planting of Lands already granted or hereafter to be taken up and patented* Read the second time, and

Committed for Amendments

And then the Council Adjourned till Tomorrow morning ten a'clock

Friday December the 11th 1713

Present

ROBERT CARTER, James Blair, John Smith, John Lewis Esq^{rs}

A Message to the Council by M^r Eskridge and others who brought a Bill Entituled *An Act for raising a publick Levy*, and also a Refolve of the House concerning money payments, to which they desire the Council's concurrence.

And the said Refolve being read was agreed to, and is as follows

Resolved, and accordingly Ordered

That the severall persons to whom Money Allowances are made in the book of Claims, be paid their respective Allowances out of the moneys that shall arise out of the Acts laying Impositions upon Liquors and Slaves, next after the money appropriated this Session for finishing the Governor's house shall be paid, And that the said payments be made in the order they stand in the said Book of Claims,

Ordered

That the Clerk of the General Assembly return the said Refolve to the Burgeffes, and acquaint them that the Council have agreed thereto.

A bill Entituled *An Act declaring what shall be accounted a sufficient Seating and planting of Lands already granted or hereafter to be taken up and patented.* Read the third time with the Amendments.

Resolved

That the bill with the Amendments do pass.

Ordered

That the Clerk of the General Assembly carry the said Bill to the Burgeffes, and acquaint them that the Council agree to the same, with severall Amendments, to which they desire the Concurrence of that House.

A bill Entituled *An Act for raising a publick Levy* Read the first time, and

Ordered a second Reading

Then the Council Adjourned for an hour

AND being mett again

A bill Entituled *An Act for raising a publick Levy* Read the second time &
Ordered a third Reading

Then the Council Adjourned for an hour

AND being mett again

A bill Entituled *An Act for raising a publick Levy* Read the third time
Resolved

That the Bill do pass.

Ordered

That the Clerk of the General Assembly carry the said Bill to the Burgeffes and acquaint them that the Council have passed the same without any Amendm^t

A Message from the Burgeffes to the Council by M^r Holloway and others, That the House had agreed to the Amendments proposed by their Hon^{rs} to the Bill Entituled *An Act to impower John Holloway and John Clayton Gent to recieve of the Trustees for the City of Williamsburgh and of all other persons whatsoever all moneys by them recieved for Lotts of Land and otherwise for the benefite of the said City And the Sum of Two hundred*
and

and one pounds Nine shillings and nine pence, of Robert Carter Esquire, and to apply such moneys to certain uses; Also to the Amendments proposed by their Hon^{rs} to the Bill Entituled *An Act for registering Births Christnings and Burials*; And also to the Amendments proposed by their Hon^{rs} to the Bill Entituled *An Act declaring what shall be accounted a sufficient Seating and planting of Lands already granted or hereafter to be taken up and patented*, and had inserted them in the said Bill

And then the Council Adjourned till Tomorrow morning ten a'clock.

Saturday December the 12th 1713

Present

THE Governor, *Robert Carter, James Blair, John Smith, John Lewis & William Cocke Esq^{rs}*

A Message from the House of Burgeffes to the Council by Mr *Littlebury Epes* and others, who brought the inrolled Bills passed this Session, for the Council's perusal.

And the said Bills being examined

Ordered

That the Clerk of the General Assembly carry the same to the House of Burgeffes, and acquaint them that the Council have perused the same, and are satisfied they are truly inrolled.

Ordered

That the Clerk of the General Assembly go to the House of Burgeffes, and command their immediate Attendance on the Governor in the Council Chamber, and that they bring with them such bills as are ready for his Assent,

The House of Burgeffes attending accordingly

The Governor was pleased to give his Assent to the following Bills, *Viz*

[For the 12 enumerated Acts, see J. of H. of B., p. 73.]

Then the Governor made the following Speech

Gentlemen of the Council and House of Burgeffes,

Such has been the concurrence and good Agreement between us during this Session; Such has been your zeal to prevent Frauds and better the publick Credit in time to come, Such apparently just measures have you fallen into, to revive your Trade, and such Testimonys have you given me of the Confidence You place in my honesty and Conduct, that I am now come with great Satisfaction and thankfulness to conclude this Session, and earnestly to recommend to you all to put a helping hand to the new Method the Country is now entering upon.

'Tis the universal Clamour of both the Planters and Merchants that your Tobacco Trade upon the present Foot can no longer be borne, and you, *Gentlemen*, have unanimously (I think) declared that it is high time to apply some Remedy, and have most generally agreed to these ways and means which We have now Enacted; I therefore promise myself that you will all endeavour to make people in your respective Countys truly sensible, what they gain by this new and extraordinary Law.

Your Love to your Country cannot be more conspicuously shewn, than by laying hold of Occasions to relieve it in its Distress, and those I must judge to have the best Title to the favours I am impowered to dispense, who can discern the true intent of their Country, and will boldly and honestly labour to promote it

As for my part I can discover nothing but benefites accruing to this Colony, by the new Course you are going to take with your Tobacco, And if it is likely that you will reap the Advantage, I hope no one will envy me the honour of the Project.

I know, the Season of the year makes you all desirous of returning home; And therefore I now prorogue this Assembly, and it stands prorogued to the tenth day of *May* next.

AT A

GENERAL ASSEMBLY

begun at the Capitol the 22^d day of *October* 1712 in the Eleventh Year of the Reign of her late Majesty Queen *Anne*, Thence continued by severall prorogations and there held the 16th day of *November* in the first Year of the Reign of our Sovereign Lord *George* by the Grace of God of *Great Britain, France and Ireland* King Defender of the Faith &c *Annoq, Domini* 1714

At a General Affembly begun at the Capitol the 22^d day of *October* 1712 in the Eleventh Year of the Reign of her late Majesty Queen *Anne*, Thence continued by feveral prorogations and there held the 16th day of *November* in the first Year of the Reign of our Sovereign Lord *George* by the Grace of God of *Great Britain, France* and *Ireland* King Defender of the Faith &c *Annoq, Domini* 1714

[*November* the 16th, 1714.]

Present

JAMES BLAIR, *Phillip Ludwell, William Cocke, Robert Porteus Esq^r*
A Commiffion from the Hon^{ble} the Liev^t Governor directed to *William Cocke Nathaniell Harrifon, Mann Page & Robert Porteus Esq^r* or any two of them to adminifter the Oaths appointed by Law to the Burgeffes and officers of this Affembly was prefented and read.

William Robertfon Clerk of the General Affembly took the Oaths appointed by Act of Parliament to be taken inftead of the Oaths of Allegience and Supremacy, The abjuration Oath mentioned in the Act of Parliam^t made in the Sixth Year of the Reign of her late Majesty, Subfcribed the Teft, and took the Oath for the due Execution of his Office.

And then the Council Adjourn'd till Tomorrow morning ten aclock

Wednesday November the 17th 1714

Present

THE Governor, *James Blair, Phillip Ludwell, William Cocke, Nathⁿ Harrifon, Mann Page & Robert Porteus Esq^r*
Ordered

That the Clerk of the General Affembly go to the Houfe of Burgeffes and Acquaint them that the Governor commands their immediate Attendance on him in the Council Chamber.

The Houfe of Burgeffes accordingly attending the Governor was pleased to make the Following fpeech

Gentlemen of the Council and Houfe of Burgeffes

We now meet [See J. of H. of B., 1712-1726, pp. 79-80.]

Then the Burgeffes withdrew

The petition of *James Adams* praying his ufual Allowance as Interpreter to the *Pamunkey* and *Chickahominy* Indians Read and Referred to the Confideration of the Houfe of Burgeffes

A meffage to the Governor by M^r *Waller* and others defiring a new Writt for electing a Burgefs for *King William* County in the room of M^r *Fox* deceased, and another for *Elizaⁿ City* in the room of M^r *Nich^o Curle* deceased.

It is ordered Accordingly

That a new Writt do Ifsue for each of the f^d Countys Refpectively.

And then the Council Adjourned till Tomorrow morning 10 aclock

Thursday

Thursday November the 18th 1714

Present

THE Governor, *James Blair, Phillip Ludwell, John Lewis, William Cocke, Nathaniel Harrison, Mann Page, Robert Porteus Esq^r*

A petition of fundry Inhabitants of *Gloucester County* & Others,
and A petition of *William Brown* of *Surry County* were presented and
read praying that Liberty may be Given for the Exportation of Cutt Tobacco & of
Stemmed tobacco without tying it up in bundles.

Ordered

That the said petitions be referred to y^e Consideration of the House of Burgeses

The Grievances of Sundry Inhabitants of the County of *Middlesex* Read & Referred
to the Consideration of the House of Burgeses.

A message to the Council by M^r *Holloway* and others that the House of Burgeses
upon consideration of the Governors speech have unanimously Resolved to address his
Majesty upon his happy Accession to the Throne, and desire the Council to joine with
them therein, and that they will appoint some of their members to joine with the Bur-
geses in preparing the said Address

Resolved

That the Council will joine with the House of Burgeses in an humble Address to
his Majesty to congratulate his happy accession to the Crown

Ordered

That M^r Commiffary *Blair*, M^r Secretary *Cocke* & *Robert Porteus Esq^r* be appointed
a Committee to prepare the said Address in conjunction with such persons as the House
of Burgeses shall Appoint

Ordered

That the Clerk of the General Assembly go to the House of Burgeses and Acquaint
them that the Council have resolved to joine with that House in Addressing his Majesty,
and that they have appointed three of their members to meet such a number of the
Burgeses as the House shall think fitt to appoint tomorrow at ten a'clock in the morning
in the Conference Room for preparing the f^d Address

And then the Council Adjourned till to morrow morning 10 A'clock.

Friday November the 19th 1714

Present

THE Governor, *James Blair, Phillip Ludwell, John Lewis, William Byrd, William
Cocke, Nathaniell Harrison, Mann Page & Robert Porteus Esq^r*

Several Propositions and Grievances from the County of *James City* and
A Proposition from the County of *Charles City*

Were Severally Read and Referred to the Consideration of the House of Burgeses

The severall Propositions and Grievances of the Inhabitants of *King* and *Queen*
County were read & Referred to the Consideration of the House of Burgeses.

And then the Council Adjurned till to morrow morning 10 a'clock.

Saturday November the 20th 1714

Present

THE Governor, *James Blair, Phillip Ludwell, John Lewis, William Byrd, Nathaniel
Harrison, Mann Page & Robert Porteus Esq^r*

The petition of M^r Secretary *Cocke* for his usual allowance for iffuing two
Writts for electing Burgeses to serve in this Assembly, and

The petition of *Chicheley Corbin Thacker* praying his usuall Allowance as Clerk of
the Secretarys Office may be Levyed for him Were severally read and referred to the
Consideration of the House of Burg^s

A Message from the House of Burgesses to the Council by Mr *Holloway* & Others that the members appointed by the Council and that house had prepared an Address to his Majesty w^{ch} having been reported in that house was agreed to and that they were Commanded to Leave the Address with the Council and desire their Concurrence thereto

The Address to his Majesty prepared by the Committee of Council and Burgesses was read and Agreed to and is as follows

To the Kings most Excellent Majesty

May it please Your Majesty

Since it hath pleased [See J. of H. of B., pp. 87-88.]

Ordered

That the said Address be fairly transcribed and Signed by the Council

And then the Council adjourned till *Munday* morning 10 a'clock.

Munday November the 22^d 1714

Prefent

JAMES BLAIR, *Philip Ludwell, John Lewis, William Byrd, Nath^l Harrison, Robert Porteus Esq^{rs}*

The Council mett &

Adjourned till Tomorrow morning ten a'clock

Tuesday November 23^d 1714

Prefent

JAMES BLAIR, *Phillip Ludwell, John Lewis, William Byrd, Nathaniell Harrison, Robert Porteus Esq^{rs}*

The Council having signed the Address to his Majesty

Ordered

That the Clerk of the General Assembly return the 1st Address to the House of Burgesses and acquaint them that the Council having signed the same, have sent it back to be signed by their House.

And then the Council Adjourned till Tomorrow morning 10 a'clock.

Wednesday November 24th 1714

Prefent

THE Governor, *James Blair, Phill Ludwell, Jⁿ Smith, Jⁿ Lewis, W^m Byrd, William Cocke, Nath^l Harrison, Robert Porteus Esq^{rs}*

A message to the Council by Mr *Holloway* & others that the Burgesses have signed the Address to his Majesty, and desire a Conference with the Council upon something relating to the said Address.

Resolved

That the Council do Agree to the said Conference immediatly and that the persons who assisted in framing the 1st Address be Appointed Conferrees for the Council

Ordered

That the Clerk of the General Assembly go to the House of Burgesses and acquaint them that the Council have Agreed to the Conference desired by their House upon something relating to the Address to the King, and that they have Appointed three of their members to manage the same on behalf of the Council who are now ready in the Conference room.

Then

Then the managers went to the Conference

And being returned

Mr Commiffary *Blair* reported that the Burgeffes had Acquainted them that it was their Opinion that the Addrefs be prefented to the Governor by the Council and the whole Houfe of Burgeffes and that as the Addrefs had its firft Rife in their houfe, they judge it moft proper for their Speaker to prefent the fame; and thereupon the Conferrees desired Inftuctions from the Council what anſwer to return to the Burgeffes upon that head.

Whereupon the Council entering into debate thereon

Refolved

That it be an Inftitution to the Conferrees of the Council that they acquaint the Burgeffes that if the Governor fhall appoint the Council Chamber for recieving the Addrefs to the King the Council Do Agree that it be prefented by the ſpeaker of the Houfe of Burgeffes, the Council ſtanding up in their places, but if his Hon^r fhall be pleaſed to be attended at the Pallace that then the ſaid Addrefs be prefented by the Senior Councillor

Then the Managers went again to the Conference

And being returned

Reported that the Burgeffes agreed to the manner propoſed by the Council for prefenting the Addrefs to his Majeſty, unto the Governor.

Ordered

That the Clerk of the Generall Affembly go to the Houfe of Burgeffes and Acquaint them that the Council have Appointed three of their members to joine ſuch a number of the Burgefs as the Houfe fhall think fitt to wait on the Governor and know when and where he will be attended with the ſaid Addrefs.

The Committee of the Council & Burgeffes waited on the Governor in the Council Chamber, and by Mr Commiffary *Blair* desired to know when and where they fhall attend his Hon^r to prefent an Addrefs to his Majeſty on his happy Acceſſion to the Throne

To which the Governor was pleaſed to anſwer that he ſhould be ready to recieve the ſame Tomorrow at ten in the morning, in the Council Chamber

And yⁿ the Council Adjourned till Tomorrow morning 10 aclock

Thursday November the 25th 1714

preſent

AS YESTERDAY

The Houfe of Burgeffes attending

The ſpeaker after a ſhort Speech prefented to the Governor the Addrefs of the Council & Burgeffes, and desired His Hon^{rs} favour to convey it to his Majeſtys hands.

To which the Governor anſwered

Gentlemen

I fhall always with a great deal of readineſs and Pleaſure convey to his Majeſty all thoſe Teſtimonys you fhall give of your Loyalty.

Then the Houfe of Burgeffes withdrew

A meſſage to the Governor by Mr *Holloway* that the Burgeffes had prepared an Addrefs to his Hon^r, and desired to know when and where they fhall attend with their ſpeaker to prefent the ſame.

To which the Governor anſwered he was ready now to recieve it in the Council Chamber

The Houfe attending

Mr

Mr Speaker read and presented the following Addrefs

To the Hon^{ble} Alexander Spotswood His Majesties Lieutenant Governor of Virginia
The Humble Addrefs of the House of Burgeffes

May it please your Hon^r

We think our Selves [See J. of H. of B., pp. 89-90.]

To which the Governor made answ^r

Mr Speaker and Gentlemen of the House of Burgeffes

I'm glad to find [See J. of H. of B., p. 91.]

And then the Council adjourned till to morrow morning ten aclock

Friday Novem^r the 26th 1714

Present

JAMES BLAIR, Phillip Ludwell, John Smith, John Lewis, William Byrd, William Cocke, Nathaniel Harrison, Mann Page and Robert Porteus Esq^{rs}
The Council mett and
Adjourned till Tomorrow morning 10 aclock

Saturday Novem^r 27th 1714

Present

THE same as yesterday Except Coll^o Harrison
The Council mett and
Adjourned till *Munday* morning 10 aclock

Munday November the 29th 1714

Present

THE Governor, James Blair, Phillip Ludwell, W^m Byrd, William Cocke, Mann Page, Robert Porteus Esq^{rs}

A meffage from the Burgeffes to the Council by Mr Holloway and others who brought a bill Entituled *An Act to prevent the malicious burning Or destroying the publick Storehouses of Tobacco Agents*; and also a Bill Entituled *An Act to prevent hoggs rooting within the City of Williamsburgh and certain adjacent places*, To which they desire the Councils Concurrence

John Lewis Esq^r present

A Bill Entituled *An Act to prevent the malicious burning or destroying the publick Storehouses of Tobacco Agents* and A Bill Entituled *An Act to prevent hoggs rooting within the City of Williamsburgh and certain adjacent places*

Were read the Firft time and

Ordered a fecond Reading

And then the Council Adjourned till Tomorrow morning ten aclock

Tuesday November the 30th 1714

Present

ROBERT CARTER, James Blair, Phillip Ludwell, John Smith, John Lewis, William Byrd, William Cocke, Mann Page & Robert Porteus Esq^{rs}

A Bill Entituled *An Act to prevent the malicious burning or destroying the publick Storehouses of Tobacco Agents* and A Bill Entituled *An Act to prevent hoggs rooting within the City of Williamsburgh and certain adjacent places*

× Were

Were read the second time and
Committed for Amendments

Present The Governor

A Petition of Mr *Samuel Boush* a Tobacco Agent for the County of *Norfolk*
Read and referred to the Consideration of the House of Burgeffes
And then the Council Adjourned till Tomorrow morning 10 a'clock

Wednesday Decem^r y^e first 1714

present

A S YESTERDAY

The Council mett and
Adjourned till Tomorrow morning 10 a'clock

Thursday December y^e 2^d 1714

Present

THE Governor, *Robert Carter, Phillip Ludwell, John Smith, John Lewis, William Byrd, William Cocke, Nathⁱ Harrifon, Mann Page & Robert Porteus Esq^{rs}*

A message from the Burgeffes to the Council by Mr *Holloway* and others who brought the Following Bills *Viz^t* A Bill Entituled *An Act for Continuing An Act Ent^d* An Act for preventing Frauds in Tobacco payments and for the better improving the Staple of Tobacco. A Bill Entituled *An Act to oblige Owners and Occupiers of Mills to which publick roads shall lead to make the Damms of such Mills ten foot wide at the top.* A Bill Entituled *an Act to repeal part of An Act Entituled An Act giving a Reward for Killing of Wolves, and for lessning such reward.* And a Bill Entituled *An Act for dividing the Countys of Charles City and James City by the River Chickahominy,* to which they desire the Councils Concurrence.

A Bill Entituled *An Act to prevent the malicious burning or destroying the publick Storehouses of the Tobacco Agents* and

A Bill Entituled *An Act to prevent Hoggs rooting within the City of Williamsburgh and certain Adjacent places*

Were severally Read the third time with their Amendments

Resolved

That the said two Bills do pass as amended

Ordered

That the Clerk of the General Assembly carry the said two Bills to the House of Burgeffes & acquaint them that the Council have passed them with Several Amendments to which they desire the Concurrence of that house

A Bill Entituled *An Act for continuing An Act Entituled An Act for preventing frauds in Tobacco payments, and for the better improving the staple of Tobacco,*

A Bill Entituled *an Act to oblige Owners and Occupiers of Mills to which publick Roads shall lead to make the damms of such Mills ten foot wide at the Top.*

A Bill Entituled *An Act to repeal part of An Act Entituled An Act giving a Reward for killing of Wolves: And for lessning such Reward,* and

A Bill Entituled *An Act to divide the Countys of Charles City and James City by the River Chickahominy*

Were Severally Read the First time and

Ordered a second reading

And then the Council Adjourned till Tomorrow morning 10 a'clock

Friday

Friday December the 3^d 1714

Present

ROBERT CARTER, James Blair, Phillip Ludwell, John Smith, John Lewis, William Byrd, William Cocke, Nathaniel Harrifon, Mann Page & Robert Porteus Esq^{rs}

M^r Emanuel Jones with Seven other Gentlemen of the Clergy of this Colony attending the Council, The said M^r Emanuel Jones spoke as follows

May it please your Hon^{rs}

We are sent from the convention of the Clergy to return your Hon^{rs} their humble thanks for your constant favours to the Clergy of this Dominion, more particularly for the Law to prevent Frauds in Tobacco payments, by which we are sensible our Sallarys become much more valuable, We beg the Continuance of the same Favours to our Body, And pray God to blefs with Succes all your consultations

To which Coll^o Carter answered

Reverend Gentlemen

I am desired in the Name of the Council to return you their thanks for your acknowledgments upon this Occasion. In the part We had in the Tobacco Law We designed the general benefite of all Orders of men in the Government, it is no small Satisfaction to us that the Clergy think their Sallarys so considerably mended by it, and we hope in It's Execution 'twill be found a very beneficial Law to all the Country in Generall

A Bill Entituled *An Act to continue an Act Entituled An Act for preventing Frauds in Tobacco payments, and for the better improving the Staple of Tobacco*

A Bill Entituled *An Act to Oblige Owners and Occupiers of Mills to which publick roads shall lead to make the damms of such Mills ten foot wide at the Top. and*

A Bill Entituled *An Act to repeal part of an Act Entituled An Act Giving a Reward for killing of Wolves; and for Lessning such Reward*

Were severally Read the Second time and

Committed for Amendments

Upon a motion made

Ordered

That the inhabitants of James City County be heard on Tuesday next before the Bill for dividing Charles City County be read the second time

And then the Council Adjourn'd till Tomorrow morning ten a'clock

Saturday December the 4th 1714

Present

AS YESTERDAY

The Council mett and

Adjourned till Munday morning 10 a'clock

Munday December the 6th 1714

ABILL Entituled *An Act to oblige Owners & Occupiers of Mills to which publick roads shall Leed to make the damms of such Mills 10 foot wide at the Top, and*

A Bill Entituled *an Act to repeal part of an Act Entituled An Act giving a Reward for killing of Wolves, and for lessning such Reward*

Were Severally read the third time with their Amendments

Resolved

That the said two Bills do pass as amended

Ordered

That the Clerk of the General Assembly carry the said two Bills to the Burgeffes and Acquaint them that the Council have passed them with several amendments, to which they desire the Concurrence of that House

A meffage from the Burgeffes to the Council by M^r *Buckner* and others who brought a Bill Entituled *an Act to prevent hoggs belonging to the Inhabitants of York Town going at Large within the Limits of the faid Town* to which they defire the Councils Concurrence,
And the faid Bill was read the Firft time and
Ordered a fecond Reading
And then the Council Adjourned till Tomorrow morning 10 aclock

Tuesday December the 7th 1714

Present

THE Governor, *Robert Carter, Phillip Ludwell, John Smith, John Lewis, William Byrd, William Cocke, Nathaniel Harrifon, Robert Porteus Esq^{rs}*

A Meffage from the Burgeffes to the Council by M^r *Holloway* and others that the Burgeffes have agreed to the Amendments propofed by their Hon^{rs} to the Bill Entituled *An Act to prevent the malicious burning or deftroying the publick Storehoufes of Tobacco Agents*, alfo to their Hon^{rs} Amendments to the Bill Entituled *An Act to prevent hoggs rooting within the City of Williamfburgh and certain adjacent places* and had inferted them therein.

Ordered

That the Clerk of the General Affembly Endorfe on the 1st Bills that they are paffed as amended

The Amendments to the Bill Entituled *An Act for continuing An Act Entituled An Act for preventing frauds in Tobacco payments*, and for the better improving the Staple of Tobacco, being confidered, fome were agreed to, and others difagreed to,

And then the faid Bill with the Amendments Agreed on was read the third time

Refolved

That the Bill with the Amendments do pafs

Ordered

That the Clerk of the General Affembly carry the faid Bill to the Burgeffes and acquaint them that the Council have paffed the fame with feveral Amendments to which they defire the Concurrence of that Houfe.

A Bill Entituled *An Act to prevent Hoggs belonging to the Inhabitants of York town going at Large within the Limits of the faid Town*

Read the 2^d time &

Committed for Amendments

A meffage to the Council by M^r *Holloway* and others that the Burgeffes have agreed to the Amendments propofed by their Hon^{rs} to the Bill Entituled *An Act to repeal part of an Act giving a Reward for killing of Wolves and for leffning fuch Reward: Alfo to their Hon^{rs} Amendments to the Bill Entituled An Act to Oblige Owners & Occupiers of Mills to which publick roads fhall Leed to make the damms of fuch Mills ten foot wide at the Top*, And had inferted them therein

Ordered

That the Clerk of the General Affembly Endorfe on the faid Bills that they are paffed as amended

And then the Council Adjourned till Tomorrow morning 10 aclock

Wednesday December the 8th 1714

Present

ROBERT CARTER, *James Blair, Phillip Ludwell, John Smith, John Lewis, William Byrd, William Cocke, Nathaniel Harrifon, Robert Porteus Esq^{rs}*

A meffage to the Council by M^r *Holloway* and others That the Burgeffes have agreed to fome of the Amendments propofed by their Hon^{rs} to the Bill Entituled *An Act for continuing An Act Entituled An Act for preventing frauds in Tobacco payments*,

payments, and for the better improving the Staple of Tobacco, and to others have disagreed, and desire the Council to pass the Bill without the Amendments disagreed to by their House.

And then the Council Adjourned till Tomorrow morning 10 a'clock.

Thursday December the 9th 1714

Present

AS YESTERDAY

The Amendments disagreed to by the Burgeffes to the Bill Entituled *An Act for Continuing An Act Entituled An Act for preventing Frauds in Tobacco payments and for the better improving the staple of Tobacco*, being considered

Resolved

That the Council do recede from such of their Amendments to the said Bill as are disagreed unto by the House of Burgeffes. and

Ordered

That the Clerk of the General Assembly return the said Bill to the Burgeffes and acquaint them therewith.

A Bill Entituled *An Act to prevent Hoggs belonging to the Inhabitants of York Town going at large within the Limits of the said Town*

Read the Third time with the Amendments

Resolved

That the Bill with the Amendments do pass

Ordered

That the Clerk of the General Assembly carry the f^d Bill to the Burgeffes and acquaint them that the Council have passed the Same with Several Amendments to which they desire the Concurrence of that House

A Bill Entituled *An Act to divide the Countys of Charles City and James City by the River Chickahominy*

Read the second time and

Committed for amendments to M^r *Commiffary*, Coll^o *Ludwell*, Coll^o *Byrd* & Coll^o *Harrifon*.

Ordered

That the Clerk of the General Assembly carry the following Message from the Governor to the House of Burgeffes

M^r Speaker and Gentlemen of the House of Burgeffes

By the Memorial which [See J. of H. of B., p. 100.]

And then the Council Adjourned till Tomorrow morning 10 a'clock

Friday December the 10th 1714

Present

AS YESTERDAY

Ordered

That the Clerk of the General Assembly carry the Following Message from the Governor to the House of Burgeffes

M^r Speaker and Gentlemen of the House of Burgeffes

The Revenue appropriated [See J. of H. of B., p. 101.]

And then the Council Adjourned till Tomorrow morning 10 a'clock

Saturday

Saturday December the 11th 1714

Present

AS YESTERDAY
The Councill mett and
Adjourned till *Munday Morning 10 a'clock*

Munday December the 13th 1714

Present

ROBERT CARTER, *James Blair, John Smith, John Lewis, William Byrd, William Cocke, Mann Page & Robert Porteus Esq^r*
A meffage to the Council by Mr *Holloway* and others that the Burgeffes have inferted the Amendments agreed on in the Bill Entituled *An A^t for continuing An A^t Entituled An A^t for preventing Frauds in Tobacco payments and for the better improving the ftaple of Tobacco.*

Ordered

That the Clerk of the General Affembly endorfe on the faid Bill that it is paffed as amended.

And then the Council adjourned till Tomorrow morning 10 a'clock

Tuesday December y^e 14th 1714

Present

THE Governor, and the fame Council as Yefterday except Coll^o *Ludwell*
Ordered

That the Clerk of the General Affembly carry y^e following Meffage from the Governor to the Houfe of Burgeffes

Mr Speaker and Gentlemen of the Houfe of Burgeffes

You know that [See J. of H. of B., p. 103.]

A Bill Entituled *An A^t to divide the Countys of Charles City and James City by the River Chickahominy*

Read the third time with the Amendments

Refolved

That the Bill with the amendments do pafs

Ordered

That the Clerk of the General Affembly carry the faid Bill to the Houfe of Burgeffes and acquaint them that the Council have paffed the fame with feveral Amendments to which they defire the Concurrence of that Houfe

A meffage from the Burgeffes to the Council by Mr *Boufh* and others who brought A Bill Entituled *An A^t for altering the day for Princefs Anne County Court and the day for Effex County Court* to which they defire the Councils Concurrence

And the faid Bill was read the firft time and

Ordered a Second Reading

A meffage to the Council by Mr *Buckner* and others who brought the Bill Entituled *An A^t to prevent Hoggs belonging to the Inhabitants of York town going at large within the Limits of the faid Town*, and Acquainted the Council that the Burgeffes had agreed to fome of their Hon^{rs} Amendments to the faid Bill and to others had difagreed, and defired the Council to pafs the faid Bill without the Amendments difagreed to by their Houfe

Refolved

That the Council do not infift on fuch of their Amendments to the faid Bill as are difagreed to by the Houfe of Burgeffes, and

Ordered

That the Clerk of the General Affembly return the faid Bill to the Burgeffes and Acquaint them therewith

And then the Council Adjourned till Tomorrow morning 10 a'clock

Wednesday

Wednesday December the 15th 1714

Present

AS YESTERDAY

A message from the Burgeffes to the Council by M^r Goodrich and others who brought a Bill Entituled *an Act to divide those parts of the parishes of Bristol Westover & Weyanoak which ly on the S^o fide James and Appomatox Rivers from those parts of the s^d Parishes which ly on the North fide the said Rivers, and to make Prince George County two entire parishes* to which they desire the Councils Concurrence

And the said Bill was read the first time and

Ordered a second reading

A message to the Council by M^r Holloway and others that the Burgeffes had passed a Bill Entituled *An Act to exempt certain German Protestants from the payment of Levys for Seven Years and for Erecting the parish of S^t George*, also a Bill Entituled *An Act to supply the Defects in An Act for laying a duty on Liquors & Slaves*, To which they desire the Councils Concurrence. Also that upon consideration of the Amendments to the Bill for dividing the Countys of *Charles City* and *James City* by the River *Chickahominy* the Burgeffes had disagreed thereunto, And desired the Council to pass the said Bill without those amendments to which they have disagreed,

Then the said two Bills Were Read the first time and

Ordered a second Reading

A Message from the House of Burgeffes to the Council by M^r Holloway and others who brought a Bill Entituled *An Act for relief of persons who by reason of the drought of last Summer have made small quantitys of Corn & Tobacco and who for want of Opportunity of Shipping have great Quantitys of Old Tobacco now by them, and for punishing persons who shall Carry any hogshead of Tobacco not stamped, out of this Colony.* to which they desire the Councils Concurrence

Upon consideration of the Amendments to the Bill to divide the Countys of *Charles City* and *James City* by the River *Chickahominy*

Resolved

That the Council do insist upon their Amendments to the said Bill.

Ordered

That the Clerk of the General Assembly go to the House of Burgeffes and acquaint them that the Council cannot recede from their Amendments to the said Bill, and desire the Burgeffes to pass the Bill as amended.

A Bill Entituled *An Act for relief of persons who by reason of the drought of last Summer have made small Quantitys of Corn & tobacco, and who for want of Opportunity of Shipping have great Quantitys of old Tobacco now by them, and for punishing persons who shall carry any hogshead of Tobacco not stamped out of this Colony*

Read the first time &

Ordered a second Reading

A Message to the Governor by M^r Holloway and others that the Burgeffes have taken into Consideration His Hon^{rs} message of the 14th instant and are preparing a suitable answer thereto

A message to the Governor by M^r Merriweather and others who brought an Address of the House of Burgeffes in answer to the Governors message of the 10th instant, and the same was read and is as follows

To the Hon^{ble} Alexander Spotswood His Majestys Lievt Governor of Virginia

May it please Your Hon^r

We his Majestys most Loyal [See J. of H. of B., p. 105.]

And then the Council Adjourned till Tomorrow morning 10 a'clock

Thursday

Thursday December the 16th 1714

Present

A S YESTERDAY

A Bill Entituled *An Act to exempt certain German Protestants from the payment of Levys for seven Years, and for Erecting the parish of St George*

Read the second time &

Committed for Amendments

A message from the Burgeesses to the Council by Mr *John Robinson* and others who brought a Bill for Continuing An Act Entituled *An Act for Security and defence of the Country in times of danger*; also a Bill for Continuing An Act Entituled *An Act for prevention of abuses in Tobacco shipp'd on freight* to w^{ch} they desire the Councils Concurrence

And the said Bills were read the first time and

Ordered a second Reading

Ordered

That the Clerk of the General Assembly carry the following message from the Council to the House of Burgeesses

Mr Speaker and Gentlemen of the House of Burgeesses

Upon consideration [See J. of H. of B., p. 106.]

A message from the Burgeesses to the Council by Mr *Holloway* and others that upon Consideration of their Hon^{rs} message they have appointed Six of their Members as a Committee to meett a Committee of the Council on the Subject matter of the said Message

Resolved

That a Committee be appointed to meet the Committee of the Burgeesses and a Committee was appointed accordingly

Ordered

That the Clerk of the General Assembly go to the House of Burgeesses and acquaint them That the Council have appointed three of their Members to meet the persons appointed by that House for drawing up an Address to his Majesty upon the Subject matter of their message this day, who will be ready at three of the Clock in the Conference room.

A Message from the Burgeesses to the Governor by Mr *Holloway* and others who brought the following Address

To the Hon^{ble} Alexander Spotswood His Majestys Lieutenant Governor of Virginia

The Humble Address of the House of Burgeesses

May it please your Honour

The many proofs you have [See J. of H. of B., p. 107.]

To which the Governor was pleased to Answer

This is such an Address that I shall send the House an Answer to it in writing

A Bill Entituled *An Act to divide those parts of the parishes of Bristol Westover & Weyanoak which ly on the South side of James and Appomattox Rivers from those parts of the said Parishes which ly on the North side the said Rivers, and to make Prince George County two Entire Parishes*

A Bill Entituled *An Act for relief of persons who by reason of the drought of last summer have made small quantitys of Corn and Tobacco, and who for want of Opportunity of Shipping have great Quantitys of old tobacco now by them, and for punishing persons who shall Carry any hogshead of Tobacco not Stamped out of this Colony, and*

A Bill Entituled *An Act for altering the day for Princefs Anne County Court and the day for Effex County Court*

Were severally Read the second time, and

Committed for Amendments

And then the Council Adjourned till Tomorrow morning 10 a'clock.

Friday

Friday December the 17th 1714

Present

THE Governor, *Robert Carter, James Blair, Phillip Ludwell, John Smith, John Lewis, William Byrd, Mann Page, Robert Porteus Esq^r*

Ordered

That the Clerk of the General Assembly carry the following written message from the Governor to the House of Burgesses in answer to their Address Yesterday

M^r Speaker and Gentlemen of the House of Burgesses

The Address you sent me [See J. of H. of B., p. 108.]

A message from the Burgesses to the Council by *M^r Christopher Robinson* and others who brought a Bill Entituled *An Act to prevent hoggs going at large in the County of Middlesex*, to which they desire the Councils Concurrence.

And the said Bill was read the first time and

Ordered a second reading

A Bill Entituled *An Act to exempt certain German Protestants from the payment of Levys for seven Years, and for erecting the Parish of St George*, and

A bill Entituled *An Act for altering the day for Princefs Anne County Court and the day for Effex County Court*

Were Severally Read with their Amendments

Resolved

That the said two Bills do pass as amended

Ordered

That the Clerk of the General Assembly carry the said two Bills to the Burgesses and Acquaint them that the Council have passed them with Several Amendments to which they desire the Concurrence of that House

The Committee appointed by the Council Reported that they had together with the Members appointed by the Burgesses drawn up an Address to His Majesty upon the Subject matter of the Councils message of Yesterday: And also another Address to the Governor to Sollicit his Hon^{rs} favour in getting the same presented to His Majesty:

And the said two Addresses being Read and Agreed to were signed by the Council and are as follows

To the Kings most Excellent Majesty

The humble Address of the Council and Burgesses of Virginia

We your Majestys most Loyal [See J. of H. of B., p. 109.]

To the Hon^{ble} Alexander Spotswood His Majestys Lieutenant Governor of Virginia

The humble Address of the Council and Burgesses of the present General Assembly

May it please your Honour

The Experience we have [See J. of H. of B., pp. 109-110.]

Ordered

That the Clerk of the General Assembly carry the said two Addresses to the House of Burgesses and acquaint them that the Council have Signed them, and have sent them to be Signed by their House also.

Ordered

That the persons who prepared the Addresses wait on the Governor to know when and where he will be attended to receive the said Addresses

And then the Council Adjourned till Tomorrow morning 10 a'clock

Saturday

Saturday December ye 18th 1714

Present

ROBERT CARTER, *James Blair, Philip Ludwell, John Smith, John Lewis, William Byrd & Mann Page Esq^{rs}*

The Committee appointed Yesterday to wait on the Governor Reported that they had Accordingly waited on his Hon^r at the Palace to know when and where he would be attended with the Addressees prepared by the Council and Burgeesses to the King and himself, and that the Governor said, I understand this Address has its Rise from the Council, and if there be any honour in presenting it, tis fitt they should have it, And therefore I appoint this place between ten and Eleven tomorrow forenoon.

Accordingly the Council with the Burgeesses went to attend the Governor and being Returned *Robert Carter Esq^r* Reported that they presented to the Governor the Address to the King in Relation to the Quitt Rents and also the Address to the Governor himself and that his Hon^r Returned the following answer

I asked of you *Gentlemen of the House of Burgeesses* some supply towards the Support of the Government of this your Country, and since you *Gentlemen of the Council* have Concurred with the Burgeesses in giving nothing but this Address I take it as a final answer to all my messages on that subject—

I shall only make this Remark, That notwithstanding the many Extraordinary Events during my administration all the Levys you have laid on the people Scarce Equal the Charge of your sitting, Tis from your Sovereign that you are to Expect an answer to this Address, and I shall according to your desire Transmitt.

A message to the Council by *M^r Holloway* that the Burgeesses adhere to the Bill for dividing the Countys of *Charles City* and *James City* by the River *Chickahominy* without any amendments, and desire the Council to pass the same accordingly

Resolved

That the Council do adhere to their Amendments to the said Bill

A message to the Council by *M^r Holloway* and others who brought a Bill Entituled *An Act for the better Regulation of the Indian Trade*, to which they desire the Councils Concurrence

And the said Bill was read the first time and

Ordered a second Reading

A Bill Entituled *An Act to supply the defects in an Act Entitul^d An Act for Laying a duty on Liquors & Slaves*

Read the second time and

Committed for Amendments

And then the Council Adjourned till *Munday* morning 10 a'clock

Munday December the 20th 1714

Present

JAMES BLAIR, *Philip Ludwell, John Lewis, William Cocke, Mann Page & Robert Porteus Esq^{rs}*

A Bill Entituled *An Act to continue An Act Entituled An Act for prevention of Abuses in Tobacco shipp'd on Freight*

Read the second time and

Ordered a third Reading

A Bill to prevent hoggs going at large within the County of *Middlesex*

Read the second time and

Ordered a third Reading

A bill Entituled *An Act to divide those parts of the parishes of Bristol, Westover and Weyanoak which ly on the South side of James & Appamattox Rivers from those parts of the s^d parishes which ly on the North side the said Rivers and to make Prince George County two entire parishes*

Read

Read the third time with the Amendments

Resolved

That the Bill with the Amendments do pass

Ordered

That the Clerk of the General Assembly carry the said Bill to the Burgeffes and acquaint them that the Council have passed the same with some Amendments to which they desire the Concurrence of that House

A message from the Burgeffes to the Council by Mr *Holloway* & others who brought a Bill Entituled *An Act for regulating & settling the Current Rates of Gold Coin, and of British mill'd Silver Coin in this Dominion* to which they desire the Councils Concurrence.

The Council Adjourned during pleasure

A BILL Entituled *An Act for continuing An Act Entituled An Act for prevention of abuses in Tobacco shipp'd on freight and*
 A Bill to prevent Hoggs going at large within the County of *Middlesex*
 Were Read the third time

Resolved

That the 1^d two Bills do pass without Amendment.

Ordered

That the Clerk of the General Assembly carry y^e said two Bills to the Burgeffes and acquaint them that the Council have passed them without any Amendment

A Message to the Council by Mr *Holloway* & others who brought a Bill Entituled *An Act for the further Continuing An Act for laying a duty on Liquors & Slaves* and two other Acts Relating to that Act to which they desire the Councils Concurrence

And the said Bill was Read the first time and

Ordered a second Reading

A bill Entituled *An Act for regulating & settling y^e Current Rates of Gold Coin, and of British mill'd Silver Coin in this Dominion*

Read the first time &

Ordered a second Reading

And then the Council Adjourned till Tomorrow morning 10 a'clock

Tuesday December y^e 21st 1714

Present

A S YESTERDAY
 A Bill Entituled *An Act for relief of persons who by reason of the drought of last Summer have made small Quantities of Corn & Tobacco, and who for want of Opportunity of shipping have great Quantities of old Tobacco now by them, and for punishing persons who shall Carry any hogshhead of Tobacco not Stamped, out of this Colony*

Read the third time with the Amendments

Resolved

That the Bill with the Amendments do pass

Ordered

That the Clerk of the General Assembly carry the said Bill to the Burgeffes & Acquaint them that the Council have passed the same with Several Amendments, to which they desire the Concurrence of that House.

A message from the Burgeffes that they have Agreed to the Amendments to the said Bill and had inserted them therein

A Bill for Continuing An Act Entituled *An Act for Security and defence of the Country in times of Danger* and

A

A Bill for the further Continuing *An Act for laying a duty on Liquors & Slaves* and two other Acts relating to that Act

Were Read the second time and

Ordered a third Reading

A Message from the Burgeffes by Mr *Buckner* and others who brought the book of Claims passed their House to which they desire the Councils Concurrence.

A Bill for regulating & Settling the Current Rates of Gold Coin and of *British* mill'd Silver Coin in this Dominion, and

A Bill for the better regulation of the Indian Trade

Were Read the second time and

Committed for Amendments

And then the Council Adjourned till Tomorrow morning 10 a'clock

Wednesday December 22^d 1714

Present

A S YESTERDAY

A Bill for continuing An Act Entituled *An Act for Security and defence of the Country in times of danger*, and

A Bill for the Further Continuing *An Act for Laying a duty on Liquors & Slaves* and two other acts relating to that Act

Were read the third time

Resolved

That the said two Bills do pass without any Amendm^t

Ordered

That the Clerk of the General Assembly carry the said two Bills to the Burgeffes and acquaint them that the Council have passed them without any Amendment.

A Bill for Regulating & Settling the Current Rates of Gold Coin & of *British* mill'd Silver Coin in this Dominion

Read the third time with the Amendments

Resolved

That the Bill with the Amendments do pass

Ordered

That the Clerk of the General Assembly carry the 1^d Bill to the Burgeffes and acquaint them that the Council have passed the same with some Amendm^{ts} to which they desire the Concurrence of that House.

A message to the Council by Mr *Goodrich* and others That the House had agreed to part of their Hon^{rs} Amendments to the Bill for dividing those parts of the Parishes of *Bristol Westover* and *Weyanoak* which ly on the South side of *James & Appomattux* Rivers from those parts of the said Parishes which Ly on the North Side the said Rivers, and to make *Prince George* County two Entire parishes; and to others had disagreed, and had proposed some Amendments of their Own to which they desire the Councils Concurrence

Upon consideration of the said message

Resolved

That the Council do recede from some part of their Amendments to the said Bills, and to others they do insist, and

Ordered

That the Clerk carry the said Bill to the Burgeffes and acquaint them therewith

A message to the Council by Mr *Goodrich* and others that the Burgeffes do adhere to the Amendments by them proposed to the Amendments of the Council to the said Bill

Resolved

That the Council do adhere to their Amendments to the said Bill

A meffage to the Council by Mr *Buckner* and others who brought the Treafurers Accompts paffed their Houfe, to which they defire the Councils Concurrence.

The Council having perufed, paffed the Treafurers Accompts, and

The Governor was pleaſed to Affent thereto

And then the Council Adjourned till Tomorrow morning 10 a'clock

Thursday December ye 23^d 1714

Preſent

THE Governor, The ſame Council as Yeſterday

A Bill for the better regulation of the Indian Trade

Read the third time with the Amendments

Reſolved

That the Bill with the Amendments do paſs

Ordered

That the Clerk of the General Affembly carry the ſaid Bill to the Burgeſſes and acquaint them that the Council have paſſed the ſame with Several Amendments, to which they defire the Concurrence of that Houſe

Ordered

That the Clerk of the General Affembly carry the following meſſage from the Governor to the Houſe of Burgeſſes

Mr Speaker & Gentlemen of the Houſe of Burgeſſes

Your Addreſs in anſwer [See J. of H. of B., p. 114.]

A meſſage to the Council by Mr *Buckner* and others who brought a Reſolve of the Burgeſſes for payment of the Officers of this Affembly, to which they defire the Councils concurrence.

The ſaid Reſolve being read & conſidered, An Addition was made thereto by the Council

Ordered

That the Clerk of the General Affembly carry the ſaid Reſolve to the Burgeſſes and acquaint them that the Council have made an Addition thereto, to which they defire the Concurrence of that Houſe.

The book of publick Claims being read & Conſidered

Ordered

That the Clerk of the General Affembly carry the ſame to the Houſe of Burgeſſes together with the Following meſſage

Mr Speaker and Gentlemen of the Houſe of Burgeſſes

Upon conſideration [See J. of H. of B., p. 114.]

A meſſage to the Council by Mr *John Robinſon* and others That the Burgeſſes cannot agree to the Addition propoſed by their Hon^{rs} to be made to the Reſolve of their Houſe concerning the Allowances to the Officers of the Affembly.

Then the Council agreed to the ſaid Reſolve, which is as follows

Reſolved and accordingly Ordered

That the money allowances made to the Officers laſt Seſſion and this preſent Seſſion of Affembly be paid the Several perſons to whom the ſame is due out of the money ariſing by the duty on Liquors & Slaves, next after the money appropriated for the Service & Relief of *North Carolina*. And that for ſo much of y^e Allowances as ſhall remain unpaid by the Firſt day of *February* next, there ſhall be allowed to the perſons claiming the ſame after y^e rate of five p Cent p Annum upon ſuch money unpaid as aforeſ^d untill y^e ſame be paid, provided ſuch allowance of intereſt do not Exceed Six Months

A meſſage to the Council by Mr *John Robinſon* and others who brought the book of Claims amended according to their Hon^{rs} meſſage relating thereto.

Then

Then the Council passed the Book of Claims and the Governor was pleased to sign his Assent thereto.

A message to the Council by Mr *Holloway* and others that the Burgesses have agreed to part of the Amendments proposed by their Honours to the Bill for the better regulation of the Indian Trade & to others have disagreed and desire the Council to pass the said Bill without those amendments to which the House have disagreed

Ordered

That the Clerk of the General Assembly carry the said Bill to the Burgesses and Acquaint them that the Council do insist on their amendments to the said Bill.

A message to the Council by Mr *Holloway* and others That the Burgesses adhere to their disagreement to the Councils Amendments to the Bill for the better Regulation of the Indian Trade.

Then the Council having considered the 1^d Amendments

Resolved

That the same be recessed from: and

That the Bill pass according to the amendments agreed unto by the Burgesses

Ordered

That the Clerk of the General Assembly carry the said Bill to the House of Burgesses and Acquaint them that the Council have passed the same According to the Amendments agreed unto by their House

And then the Council Adjourned till Tomorrow morning 10 a'clock

Friday December the 24th 1714

Present

JAMES BLAIR, John Lewis, William Cocke, Mann Page & Robert Porteus Esq^{rs}

A message from the Burgesses by Mr *Holloway* & others who brought a Bill Entituled *An Act for Erecting a Magazine*, and also a Resolve of their House relating to the money Given for the Relief of *Carolina*, to which they desire the Councils Concurrence

The said Resolve being Read, was agreed unto by the Council and is as follows

Resolved

That all the money heretofore given for the Service of *North Carolina*, not made use of, be paid to the Hon^{ble} the Lieutenant Governor According to his proposal in his Message to this House of the 14th & 17th instant

Then the Governor was pleased to sign his Assent to the 1^d Resolve

A Bill for erecting a Magazine Read the first time and

Ordered a second Reading

A Bill for Erecting a Magazine Read the Second time and

Ordered a third Reading

A Bill for Erecting a Magazine Read the third time

Resolved

That the Bill do pass

Ordered

That the Clerk of the General Assembly carry the said Bill, together with the above Resolve to the House of Burgesses and Acquaint them that the Council have passed the same without any Amendment

A message to the Council by Mr *Holloway* and others who brought a Bill Entituled *An Act for raising a publick Levy* to which they desire the Councils Concurrence.

And the said Bill was Read the first time and

Ordered a second Reading

A Bill for raising a publick Levy Read the second time and

Ordered a third Reading

A Bill for Raifing a publick Levy read the third time

Resolved

That the Bill do pafs

Ordered

That the Clerk of the General Affembly return the faid Bill to the Burgeffes and acquaint them that the Council have paffed the fame without Amendment

A meffage to the Council by Mr *Holloway* and others who brought the inroll'd Bills paffed this Seffion for the Councils perufal.

And the faid Bills being Examined

Ordered

That the Clerk of the General Affembly return the Same to the Burgeffes and Acquaint them that the Council are Satisfyed they are truly inrolled.

A Meffage to the Council by Mr *John Robinson* and others who brought the book of Proportions of the publick Levy to which they defire their Honours Concurrence

And the faid Book being Read was agreed unto by the Council, and then the Governor figned his Affent thereto.

Ordered

That the Clerk of the General Affembly Return the fame to the Burgeffes.

Ordered

That the Clerk of the General Affembly go to the Houfe of Burgeffes and Acquaint them that the Governor comānds their immediate Attendance on him in the Council Chamber, and that they bring with them fuch Bills as are ready for his Affent

The Houfe of Burgeffes attending the Governor

His Honour was pleafed to fign his Affent to the Following Bills

[The feventeen enumerated Aëts are given in the J. of H. of B., pp. 116-117. The fixth Aë (or firft on p. 117) has the following title in the Journal of the Council:]

An Aë to Continue An Aë Entitled An Aë for preventing frauds in Tobacco payments and for the better improving the Staple of Tobacco. and for fupplying & remedying certain defects & inconveniencys in the faid Aë

Upon prefenting the *Aë to continue* an Aë for fecurity & defence of the Country in times of Danger, The Gov^r faid "I have not power to pafs Laws of this nature that have been already fo often enacted

Then the Governor was pleafed to fay

Gentlemen of this General Affembly

I'm very fenfible how defirous you are to be at Your homes in this Seafon of the Year: And as I am willing to Comply with fo good an Affembly in every thing that I reafonably may I prorogue you to the 21th of *April*, at which time you are to meet me here again.

Copy Exam^d 3

Wil Robertfon Cl Gen Aff^{rs}

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